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GUNS OF THE LAZY Y

BIG NOVEL BY GEO. B. RODNEY

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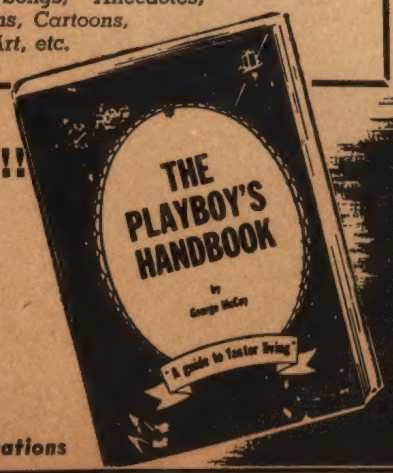

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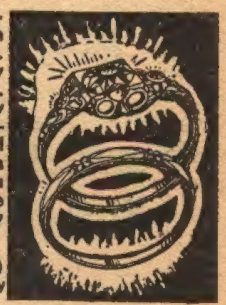

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Vol. V, No. 5 ..... August, 1942

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(First Magazine Publication)

GUNS OF THE LAZY Y ..... **by George B. Rodney** **10**

Tom Frayne came back from two years' service in the U. S. Cavalry to find that his father had been murdered, and that the entire Huisache Valley was involved in a bitter conflict over water rights. And the only permanent water supply was Deep Hole Springs, which lay well within the Lazy Y's boundaries. But crooked John Devers was demanding that the Lazy Y boundaries be surveyed again, and Frayne knew that some sort of conspiracy was afoot—he was sure of it when he suddenly found himself framed for the shooting of Dever's corrupt sheriff!

SHORT STORIES

DEAD MAN'S VALLEY ..... **by Archie Joscelyn** **85**

Smoke Saunders was sent after those stolen cayuses for a reason! Ranse Hilton figured that Smoke would soon lose his honor when he tangled with the outlaws, if not his life. Either way would do—though both were preferable!

PEACE IS WUTH FIGHTIN' FOR .... **by John Scott Douglas** **94**

Here I am, full of brotherly love, aimin' only to make friends with those polecats of Blaizdells, and whut do they do but try to sculp me on sight! Lucky I have my guns ready just in case—but I aint downhearted; I'll make friends with them coyotes if I have to plant every last one of them in Boothill to do it!

A FACT ARTICLE

A RUSE FOR ROAD AGENTS ..... **by Kenneth P. Wood** **109**

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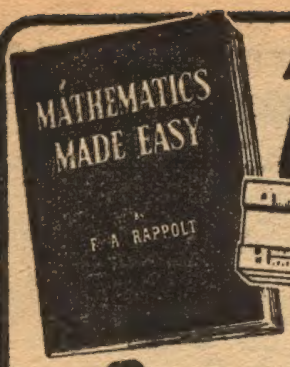

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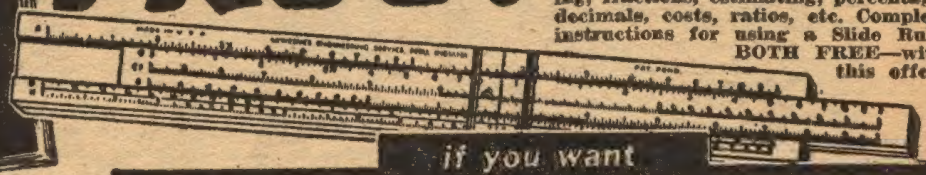

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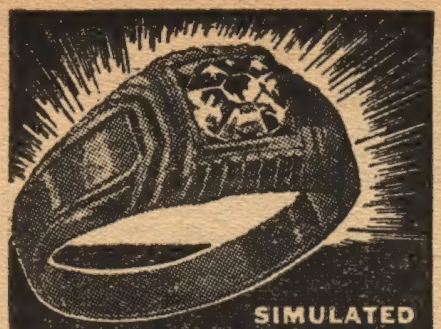

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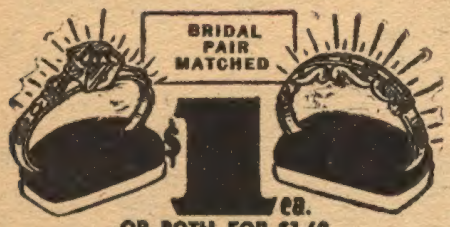

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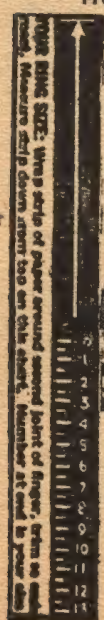

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The table caught Cargan in the chest and sent him sprawling.

GUNS OF THE LAZY Y

by GEORGE B. RODNEY

An Action-Packed Book-Length Novel of Bitter Conflict Between Cattleman and Sheep Ranger

First Magazine Publication

When Tom Frayne came back to the Lazy Y from the U. S. Cavalry, it was to learn that his father had been murdered from ambush—and to find himself locked in a death struggle with crooked John Devers for control of the vital springs that fed the entire Huisache Valley!

CHAPTER I

SAM MARVIN, staring out over the sea of waving grass rippling in the hot wind, in which the mesquite clumps stood out in spots of light and vivid green, watched the long lines of cattle moving slowly in towards Deep Hole Springs. Three miles above the ranch-house five great springs burst from the sheer hillside, just, as he often thought, as the water must have leaped from the rock under Moses' rod. Those springs filled a great pool and irrigated a great swamp that was dank with heavy growth; that was thick with cottonwoods and huisache and thorny growth that was laced with cat's-paw and studded with paloverde and water-willow with its pink flowers and, except for certain runways, trampled by thirsty cattle, was an almost impenetrable mass of verdure. Deep Hole Springs were a veritable godsend, not only to the Lazy Y but to the entire broad valley. When other tanks and waterholes were dry; when in times of drought cattle were found dead on their feet, wedged tight in narrow runways, dead from lack of water; when calves' tongues were black and blistered; when a man could ride forty miles without seeing a drop of moisture except the sweat that gemmed his own face; when the three years' drought gave them a sky as hot and hard and bright as metal, Deep Hole Springs were a godsend for the valley.

Marvin settled back in his chair. "No wonder the sky-pilots say that man's salvation came by water," he murmured. "My God! What it would mean if we should lose those springs. But—if Tom tries to hold the Lazy Y, there'll be blood on the face of the moon. I—to save my life I don't see how he can hold on—but—by God"—his teeth tore at a cigar that he snatched from his waistcoat pocket—"he can't give the place up! Not now! His mother and father are both buried here. It's his last frontier. We hold by our dead. If they've taught him anything in the Army, they'll have taught him to hold on in the face of adversity, but—I'll be double-damned if I can see how he can hold on—hallo," he growled, rising swiftly to his feet. "Here's Simms with the buckboard and the horses."

The buckboard crashed up to the stone block behind a pair of half-wild ponies and Simms wrestled with their heads while Marvin landed in the seat from a flying start.

"All right," he growled. "Let go their heads—quick, man! Let go, I say. D'you want to be dragged to Palo Verde?"

Simms let go all at once, hurled himself backwards to escape the flying hoofs and grinned after the departing cloud of red dust that swept down the Palo Verde trail heading for town twenty miles away.

That trail was just an unfenced track, rutted in some places by wheels and scarred by hoofmarks, for it marked the trail that led from the Line of Old Mexico due north to the higher plains where men found better winter grazing. It was older than the memory of the oldest man in the valley and tradition had it that even back in the days of the Spanish conquistadores it had been old; that it had been the desert trail by which the Toltecs had swept down from the North when they invaded and captured the rich plains of Anahuac. Marvin had taken many herds over that trail. He knew it as a man knows his own front path, but he gave scant attention to it as his team hurled him along heading for the railroad station where he was to meet Tom Frayne.

The one daily train from the West had come and gone as Marvin turned his team into the corral behind the hotel, gave the horses to a stableman with strict injunctions as to watering and feeding, and strode into the crowded lobby. The place was a babel of sounds, for in early fall Palo Verde, with its mild climate, its wide plains, its clear, pure air and its altitude, drew every lunger from both East and West; every person whose doctors had warned them to seek a high, dry climate if they would live. The lobby was crowded with men in every kind of dress. Miners, cattlemen, even sheepmen, and sheepmen were not popular in Palo Verde. Marvin eyed the crowd as it milled about between desk and bar, and moved forward to the desk to make his inquiry and, while he was still halfway across the lobby, a tall man heaved himself suddenly from a deep chair

where he had been watching the crowd, and rushed forward with a sharp "Hallo, Sam!....Sam Marvin," that made men stop and stare. Marvin wheeled, stopped in his tracks, stared, and seized him by both shoulders, fairly shaking him in his delight.

"TOM!" he said. "Tom Frayne! By God, I'd rather see you than a paid-up life insurance policy—I'd have known you in a million"—he held him off a little by both arms. "You're the very spit an' image of old Tom," he said. "You're not the little lad I used to frail with my quirt for tyin' knots in my lariat. By—" and he swore a certain solemn oath—"the little coyote has changed into a lobo that's fit to pull down a bull." He looked into Tom's gray eyes as though he was seeking an answer to an unasked question. "The Army's done you good, Tom."

"The Army does good to everyone, Sam. That is, to everyone who wants to have good done to them. If trash drifts into the Army and is content to remain trash, the Army throws it out. If the trash wants to be changed into good sound timber—the Army does that, too."

"Well—" Marvin regarded him again from half-closed eyes and scrutinized him carefully, then he suddenly grinned and in that grin all the latent affection in his burly body was made manifest. Tom Frayne Junior was the son of Tom Frayne Senior and the ties of a lifetime grip and bind. "The Army hasn't hurt you any, son. It's done you good," he said.

Sam Marvin was quite right. The Army, that does good to most of its votaries, had been especially careful of Tom Frayne. The slim gangling youngster who had left the Lazy Y at twenty years of age was no more. Six years spent under the colors had broadened the shoulders and braced them back, they had widened the chest and had put lines in the face and a light in the eyes that there was no mistaking. At twenty-six Tom Frayne was moulded and formed and Sam Marvin saw that the form was good. Wide shoulders above a flat-hipped waist supported a head whose face was a rich saddle-color. Tropical suns had done that. The gray eyes, unflinching in their steady look, held Marvin's eyes with their quizzical gleam and the slow, unhurried breathing told of a man the keynote of whose character was self-control. But it was the mouth that Sam Marvin had especially noted. In his way Sam was a pretty fair judge of men and he knew that while heredity may set its mark on eyes and nose and chin; while it may almost compel a man to carry himself in a certain way because untold generations of his race have done so, yet it is a man's mouth that shows his real self. A man makes his own mouth. Sam Marvin watched Tom for a long moment, then he nodded quietly and took another look. He was satisfied.

"Take me to your room, Tom," he said. "We've got to have a talk and we'd better get it over as soon as we can. I tell you, boy, it's high time that young Tom has come to his father's place."

There was a curious note of intentness in Marvin's voice that made Tom glance at him again. It was not like his father's old partner to show feeling as Sam showed it now. Tom glanced at him irresolutely, then he laughed.

"You sound as if you were goin' to take me up to my room an' whack me with your quirt like you used to do twenty years ago," he said, and laughed, but Sam's face did not change.

"Maybe we'd better eat first," said Marvin curtly. "Yes. That's best. What I've got to say will not sit well on an empty belly."

They sought the dining-room and ate their dinner as quickly as decency permitted. Sam Marvin was obviously anxious to finish his dinner. He ate voraciously and had drunk his coffee while Tom was still at his dessert. Finally Sam could stand it no longer; he half rose and thrust back his chair.

"I'll have the coffee sent to your room, Tom. I want to get out o' this." He turned to the waiter with: "Send the coffee and some cigars to Mr. Thomas Frayne's room. Number two-seven—ought."

A TALL man seated at the next table turned as Sam spoke. He stared at them, first at Sam, then his eyes wandered to Tom and he took him in with deliberate intentness. It was a calculating stare that passed over Sam Marvin like a douche of cold water and finally settled on Tom. Its very concentration made Tom turn. He caught that look and recognized it. Often in his Army career he had seen that same appraising look, the calculating glance of a man trying to estimate the weight and danger of an opponent; asking himself the

question: "How much weight can this man carry?" Tom turned to Marvin. The old man's eyes had settled on the man and his mouth was a grim line. Then Marvin nodded coolly. But Tom was angry. The intentness of the man's gaze was distinctly annoying. He felt as he imagined a blooded horse might feel when he is critically inspected in the ring. He was not accustomed to an appraising scrutiny. He shouldered against Marvin.

"Who's your tallow-faced acquaintance?" he asked. His voice carried across the room with a metallic timbre that made the people at neighboring tables turn and stare at him.

"Shut up," Marvin almost snarled over a shoulder at Tom, who was frankly taken by surprise. Then Marvin was pulling at his elbow. "Come with me to your room," he said. "And for the Lord's sake, ask no questions—here."

Sheer surprise held Tom silent as he led the way and he said no word till they reached his room. They entered and he closed the door and not till that door was finally shut did either speak. Tom was first to break the silence.

"What the devil ails you, Sam?" he demanded hotly. "Who is that man? You acted as though you're afraid of him. Are you?"

"Afraid of him? No, son, I ain't afraid of him, but when I meet up with a sidewinder on a trail, I side-step him even if I ain't what you'd call afraid of him."

"Huh!" Tom's tone was almost jeering. "When I was a boy on Lazy Y you used to shoot their heads off. You showed me how to do it, too. Remember?"

"I do. That was when I was quite a bit younger an' more of a damned fool," said Marvin heavily. "But I wish to God somebody would shoot Devers. Somebody will too, someday," he added hopefully.

"Was that man Devers? I never heard of him before. Who is he?"

"I wish I was right sure you an' I'd never see him again. You got a drink to give me, Tom? Or must I go an' spend some of my money?"

Tom got a flask from his valise and Marvin half filled a tooth-mug and swigged off the raw liquor. He sat down on the bed and wiped his mouth before starting a cigarette.

"Now I'll talk," he said, coughing a little over the potent liquor. "You're in one hell of a mess, son," he said heavily. "Just how bad it is you'll see when I get through spillin' the mess—"

Tom drew a chair forward, seated himself and folded his arms across the chair-back.

"I've been in bad messes before," he said, "but somehow I always managed to get out with my hair an' teeth—most of 'em, that is. What ails you, Sam? You're not a bit like my father's old-time partner. Dad used to say that you were like a breath of cool air in a warm house. Now—well, Sam, I'll be dogged if you're not like a bucket of ice-cold water on a man. You own a third part of the Lazy Y, I think. Isn't that right?"

"Yeah, that's right. But a whole lot ails me, Tom, an' that's a fact. For one thing, I'm gettin' old, and that don't help a whole lot. Troubles never come singly. They always ride in pairs. Do you remember the letter I wrote you when your father died?"

"Of course I do." Tom's face changed. "You see, Sam, I never felt quite easy about what I did. I coiled my rope and left the Lazy Y just when my father needed me most. I ought not to have gone. You'll remember, Sam, that I always wanted a commission in the Regular Cavalry and Dad couldn't see it. I asked him to try to get me an appointment at West Point. At that time he could have got it but he wouldn't. He said time and again that an officer in the Army had no future. He used to laugh about it, sayin' I was just yearnin' for the poorhouse and he wouldn't help his own son get in there—"

"Huh! If he was alive now he'd be pretty damned sure you an' him an' me are all headed for the poorhouse—"

Tom paid scant attention; he was intent on the details of his own Odyssey.

"So I left the Lazy Y and enlisted to try to get a commission by promotion from the ranks. I might have made it but for your letter, Sam. As soon as I got your letter I took steps to buy my discharge. It took time, but I finally got it. Then I came home."

Both men were silent; Marvin held by the memory of past years; Tom silenced by recollection of the gripping love that he had always felt for the grim-faced old father who had been all the world to him after his mother died.

"I couldn't come home at once, you see, Sam. At first there was danger of trou-

ble in the East and the regiment was under orders for service there. A man doesn't quit under fire. I had to wait. You know how it is, Sam."

"Yeah—I see—I sabe, Tom. You were quite right. But what I have got to tell you, Tom, is—this, son, I wrote you that your father was killed by bein' thrown from his horse and dragged—that was just to tell you he was killed. I wrote that to get you home, Tom. Tom Frayne—your father an' my friend—was killed. He was deliberately shot—murdered—hell, man"—he broke out, seeing utter incredulity in Tom's eyes. "Can't you sabe what I say? Your father, Tom Frayne, was—murdered."

CHAPTER II

FOR A LONG moment Tom stood stockstill staring at Sam Marvin. Realization of what Sam had said simply did not grip him. The words passed over his consciousness as though they had never been spoken. His brain seemed numbed. Then underneath that numbness every fibre of his being, every aching nerve tingled and sprang into fierce life with a sharp pang like the swift pain of an aching tooth. Had Sam Marvin suddenly lost his mind? Murder?

The word seemed to paralyze all his functions except memory. In less than ten seconds he seemed to vision twenty-six years. His mind leaped the gap from manhood to childhood. He saw old Tom Frayne grave and stern when he should be stern; kindly when most other men were stern, tolerant of other men's shortcomings, not so lenient to his own. Generous to a fault and by reason of that very generosity often taken advantage of by friends and neighbors.

He remembered how his father had openly adored his wife—Tom's mother, whose slate-gray eyes seemed to hold in their depths a touch of the immensity of the boundless West. In memory Tom could see her as clearly as though she were in this room with him, sitting in a huge rocking-chair on the ranch-house porch awaiting the arrival of Tom Senior, perhaps from a round-up of stock that had strayed into the distant hills; perhaps merely riding his lines or seeing to the irrigating ditches that supplied the very life-blood of the Lazy Y. He could see her gray eyes lighten as his father's pony rounded a sharp curve in the trail down below the home corrals and he could see that father swing out of saddle, slap his loose pony on the rump and send him scurrying corralwards where old Manuel caught him, and then head for the porch with a little rush that took in first his wife, then his son. He could feel the iron grip of that father's hands; could feel himself being tossed into the air. He could remember the ten-foot lariat that his father braided for him and how he had successfully roped the great turkeycock to the wrathful clamor of old Josepha, the cook who ante-dated Pot-belly.

Tom remembered most dearly of all, his father's remark when this same Sam Marvin, partner and manager, came to him to tell him that a new family of nesters had settled without permission on the ranchland at the head of Willow Water.

"Let 'em stay," said Tom Frayne. "They'll not bother us. Maybe they'll only stay till they raise a crop. That's what many of 'em do. One crop an' go. Nellie wouldn't like me to fire 'em off. Would you, Honey?"

His mother shook her head wordlessly and smiled, and Tom never forgot that smile.

"The man has a wife and children," she said presently. "We can't push them over the edge, Sam."

That was the keynote of those two lives. Never in their lives had Tom Frayne Senior or Nellie his wife pushed any one over the edge. And now, if old Sam Marvin had not lost his mind, that father had been murdered. Shot, Sam said, while he, Tom Frayne, had been five thousand miles away.

He strode across the room and stopped squarely in front of Sam.

"While I was servin' under the flag, tryin' to uphold the law; to ensure the very existence of law an' order an' decency, you tell me murder has been done, so to speak, in our own front yard."

His face was very pale and in his eyes was a look that was not good to see. Again that gripping silence held both men; a silence that was broken only by the sharp, shrill, tck, tck! of a death-watch buried somewhere deep in the thick adobe wall. Then Tom's voice, slow, measured, broke the long silence.

"You say my father was murdered, Sam. How? That doesn't sound reasonable when you figure out that the Old Man had twenty friends in this valley for every enemy. Damn it all, man! I can't, to

save my soul, think of a single foe he could have had. It's not reasonable, I say."

"Reasonable, hell. Is murder ever reasonable? I mean exactly what I said, Tom —only more. When you left here you were the son of a man who owned the Lazy Y root an' branch, with all its acres an' its cattle, an' you've come back to—just nothin'."

Tom glanced apprehensively at the partly-emptied flask and shook his head. Two inches of whisky, even of such whisky as that, could not upset all a man's sanity in ten minutes.

"Go on, Sam," he said. "You said either too much or too little. I've never known you to bark at a knot. When you give tongue it used to always mean that you'd struck a trail."

THE minds of both men went back to old days; specifically to the time when old Sam, trailing a bunch of horse thieves who had raided the horse herds of the Lazy Y, had discovered after trailing them for three days that they had shod their horses backward and that he was following the trail—the wrong way. It had taken him a week to correct that error. He had done it and lone-handed brought in his horses and showed the sheriff's posse where the horse thieves were lying. That had been the rule of the Frontier in those days —either bring back your man or show where his body lay.

"You know the valley just as well as I do," said Sam sombrely. "You know damned well what water means to us. I remember once a skypilot came driftin' in on the heels of a norther. He'd been caught in a sandstorm up Laguna way an' he looked like he'd spent forty years in Death Valley. He said he'd been livin' on the juice o' Nigger-head cactus for four days and his tongue had fur on it. When he saw the big irrigatin' ditch he just went down on his marrow-bones an' sopped up about ten gallons of water. It wasn't good water, either—stinkin' sulphur an' bitter with alkali, if you ask me. We had to manhandle him for fear he'd get water-founder. Anyhow, the next day was Sunday. He got old Tom to round up the bunk-house an' the cook—that was just after old Pot-belly came to us—for a prayer meetin' and he held forth for two hours on water. Yes sir. An' it didn't need any Bible to make a cowhand believe that water's life. That old sky-pilot sure hit the bull's-eye when he told us that man's salvation comes to him through water. He must have been a cattleman—"

Tom clicked his tongue impatiently, but he knew old Sam. There was no hurrying him. He was, Tom reflected, exactly like the old bell-horse of the Lazy Y remuda. When hurried, that old bell-horse would shake his head and either turn squarely around and head back on the trail, or else —and that was worse—frankly balk till all opposition ceased, when he would coolly resume his own gait and his own way. Tom waited with as much patience as he could muster. In time Sam would come to the meat in the nut.

"That was a good sermon," said Sam. "All I got against it was the way he kept a-draggin' in about sheep. He kept on tellin' us that flocks an' herds were the mainstay of those old Jews, that all the pretty stories in the Bible was about sheep. An' him a-talkin' to cattlemen! Seems like he ought to've known better."

"That's right. Now listen to me, Tom; you hadn't no right to get talkin' on a side-issue an' almost make me forget what I was aimin' to tell you. It's this:

"For three years now we haven't had any more than just little light showers of rain, not enough to bring up a full crop of grass on the ranges. It's burned right down to the grass-roots in places where it used to stand stirrup-high. An' there's been mighty little snowfall in the back-ranges either. Right to this day our own Deep Hole Springs are about the only permanent source of water in the whole valley that men can really count on. That was when that damned man Devers got into the game.

"We hadn't known anything at all about him till he leased or bought or stole a lot of worthless land the other side of the Espuela range of hills; then he bought a lot o' sheep an' put 'em on that land. Today, men say that he an' Cargan run nigh on to sixty thousand sheep. They've got 'em bunched, two thousand to a bunch, an' each bunch handled by three Mexicans an' a dog. Each bunch's got maybe fifteen or twenty goats. You know how goats keep off the coyotes from a lot o' those damn' helpless baa-baas. I tell you, Tom, those damned sheep wander over the face o' the earth eatin' out the very grass-roots, just like a flight o' locusts. An' the brush that the sheep don't eat—you know sheep won't

forage on high stuff—the goats gnaw off till there ain't a bush on the north side of the Espuelas.

"O' course, Cargan an' Devers have been hit like us by lack of water. That's bad enough, but when you add to that the fact that those damned sheep are grazin' on the free range where cattle ought to find forage an' when you realize how those damned flocks eat off the very grass roots till we know we ain't goin' to have no grass even if we get rain, you can't blame the valley for gettin' sore.

"I tell you, Tom, they're turnin' what used to be a fine cattle range into a desert. That's true. An' Devers an' Cargan are doin' it. You'll remember Cargan. Sheep-dip Cargan they call him, 'cause he fell into a tank full o' sheep-dip twenty years ago an' he's been smellin' of it ever since. You'll remember him and his two sons."

TOM remembered Sheep-dip Cargan well and he remembered nothing good of him. Cargan was a hard-faced man who, when Tom was a boy, had owned a small ranch back in the hills where some shallow water tanks enabled him to raise desultory alfalfa crops that he sold to less fortunate ranchers when they had to buy feed for their cattle. There had been all sorts of tales current about Cargan. Some said that he had been a killer. Some said that he had fled from Mexico with his two sons. But all tales united in an estimate of him as a dangerous man whom it was ill to cross; a man who exacted his pound of flesh and who was not averse to shed blood to get it.

When Tom had left home, Asa Cargan and his two sons, Oscar and Willis, had been living on their small holding far back in the hills, so that Huisache County rarely saw them and had no reason to feel any distinct loss. What little business Cargan did in sheep and cattle was transacted to the north, and most of Huisache County traded to the south. But talk was rife from time to time as ranchers missed cattle, that Cargan's herds had a much greater increase than was provided by kindly nature. There had been talk of a cattleman's investigation by a committee, but that had come to naught. Rains came about that time and men considered other things.

"Sure, I remember Cargan," said Tom. "The last thing I remember is that he and Dad had a run-in about some prairie hay. Cargan had cut a crop off one of our pastures. Then he had stolen some that the Lazy Y had cut. He piled both lots back of his house under a big 'paulin. It was that 'paulin that caused the trouble. Dad saw it an' accused Cargan of havin' stolen it. Cargan was about to go for his gun when Dad just said:

" 'You damned thievin' scoundrel, that 'paulin's got the Lazy Y mark on it right now. You haven't even got sense enough to cut that off.'

"He'd stolen ten tons of our cut hay, an' our 'paulin, too."

"Uh-huh! Well! Two years ago that Cargan homesteaded two hundred more acres up the valley just above Deep Hole Springs, right square in the middle of the valley. You may mind the place. It was just a little wedge-shaped piece of the free range that we never took up because old Tom wanted to leave a place where cattle could have access to the swamp water without havin' to open his gates or cut his wire when he fenced the main springs. Then hell started. Just as soon as Cargan bought the script for that tract from a damned Yankee horse-tradin' land-loper, he brought suit over the Springs themselves. He claimed through his lyin' lawyer that the original Spanish title that covered the lands o' the Lazy Y didn't cover a continuous tract but that our lines ran like a snake's back an' that the water rights were intentionally left out of the old Spanish grant so that all the people in the valley could have a vested right in the Springs. His lawyer claimed that those Deep Hole Springs lay outside our lines and that they belong by right to the land that Cargan bought. That damned suit has been fought and re-fought three separate times now. John Devers has got money an' sheep; Cargan has got Devers' money an' sheep; an' a heart-full o' hate for the Lazy Y, an' that makes a damned bad combination. It took every dollar that old Tom could raise to fight those suits. That's 'cause he had to appeal an' re-appeal time an' again. Our cattle have been rustled and we had one hell of a time to raise cash to fight with. We couldn't make money with cattle sellin' at seven-fifty. That was the first of the bad years, you know. . It was then that old Tom had to borrow money—"

"Hold on, Sam. Wait a bit. You and I both know that the old man, and, through him, you two and the Lazy Y, had re-

serves laid aside for a rainy day. He'd often borrowed money before when he needed it for stock or things like that. He had thirty thousand dollars' worth of unregistered United States bonds. He always kept them unregistered so he could use them at any time when they might be needed as collateral on which to borrow any money he might need."

"Yeah! That's all correct—as far as it goes, but there's more to it, Tom. Your father went over to Benton to see about sellin' some cattle to the Red Seal people. They'd offered him a contract to supply quite a lot o' cattle an' we were sparrin' for time because we were short-handed for a big round-up just then. Anyhow your father went over to Benton an' right there was where he got into trouble. He met up with old Senator Fargus—him that got the franchise for the big dam over in Frescia Valley. Fargus had been playin' the stock-market in Chicago and he made a big killin'. Anyhow he got old Tom by showin' him how, with his knowledge an' Tom's cash, they could make another killin'. From what Tom told me, it was a hurry-up affair and a cash-on-the-nail deal and he didn't have time to come back to the Lazy Y to get those bonds. They'd have saved him. Tom and Fargus went to the bank an' raised fifty thousand dollars on their paper an' bought some fancy stuff that Fargus knew all about—so he said. It seems your father put in the money an' Fargus put in the experience. They tinkered away on the end of the telegraph wire for three days an' then Tom found him and Fargus had swapped ends. Fargus had the money an' Tom had the experience.

"TOM gave a thirty-day note for the money and came back here to raise it. He found that the bank where he got the money had sold his note to Casper an' Casper had sold it to Devers. That man you saw in the dinin'-room. Then Tom started to work on the bonds he had in his safe. Yeah! That's right. He came home to get those bonds that he always kept in the wall-safe in the ranch dinin'-room. He got the bonds. I checked them over with him an' I stood by the steps an' saw him off, startin' for Palo Verde. That was just after daylight on the seventh day o' May. Tom—he never got there. Late that afternoon his pony came in with a bloody saddle an' a little later we found Tom his-self down by Gopher Springs. He'd been shot straight through the chest 'n' all the bonds that I'd seen him put in his saddle-bags were gone—an'—an'—an' I reckon that's about all."

"All! All! All, hell!" Tom leaped to his feet and his chair crashed back against the wall. "All? Do you mean to tell me that my father was murdered and that you let the murderer go free?"

"Not a bit of it." Sam Marvin took fire at Tom's tone. "You fool. Don't you see? If I had reported it as a murder, the men who murdered and robbed him would just have covered up. That's all, and we'd never find 'em. It was just reported, Tom, that your father had been killed by havin' been dragged by his horse. Don't you see? Whoever killed him doesn't know what's up. Of course they know that we know how Tom was killed, but they don't know what move to look for. When a man's in doubt he always shows his hand sooner or later. Don't you get the idea that I've forgotten it. I never forget. Tom Frayne pulled me out of a bad mess twenty years ago; the time I shot Liscum in self-defense. My hands were clean o' murder, Tom—"

"You don't need to tell me that. My Lord, man. Dad would never have had you as a partner if you hadn't been as clean as he was. But this business of findin' the man or men who murdered my father—that's my business, Sam. My job—see?"

"That's all right, son. Good dogs work in pairs. First of all," said Marvin heavily, "we've got to find some way to save the Lazy Y. Devers holds a note for the thirty thousand secured by the ranch. The only real collateral worth a damn was those bonds. But they've been stolen. We can't raise money on our cattle. Devers tried three times to get your father to sell out but he wouldn't. You see, old Tom was keen on keepin' the place for you, son. He and your mother came out here when even Lloydsburg was a prairie-dog town an' they made the ranch what it is today. Your mother an' father are both buried here, Tom—"

"I know it, Sam. I've seen some of our frontiers, East an' West, and somehow I've got the idea, Sam, that our real frontiers are marked by our dead. By God! Sam Marvin! Do you know me so little as to think that I'm goin' to lose the Lazy Y that my father and mother worked for and made and have my father's blood cry aloud for

justice? I bet you yourself aim to lay your bones in Lazy Y soil, Sam."

"Sure I do—after I'm done with 'em," said Sam briefly. "A hell of a lot o' justice you'll get in this county when Devers and Cargan run sixty thousand sheep across our ranges; when Fargus and Gatewood, the sheriff of the County, are all Devers' men, bought 'n' paid for. Any case at law's bound to be tried by Devers' men before a Devers jury to be ruled on by a Devers judge. A hell of a lot of justice you'll git."

"I said 'justice.' I didn't say a word about law," said Tom. And there was a note in his voice that made Sam Marvin's blood seem to stand still in his arteries.

He hastily poured himself a second drink and was standing with the full glass in his hand when a loud, distinct tap on the door made them both start and glance at each other. Tom was the first to recover.

"Come in," he said.

The door slowly opened and a boy appeared in the doorway. He held out his hand to Tom and he saw in it a card.

"Mr. Frayne," said the boy, "this here card's for you, sir."

Tom took the card and studied it for a brief second.

"The gentleman in two-seventy-six told me to give it to you, sir." And the boy turned and was gone before they could stop him to ask a question. Again Tom scanned the card.

It was an ordinary visiting card that bore the name

JOHN DEVERS

and under the name was scrawled in pencil: "Please call at once at Room 276. Very important. John Devers."

"Huh!" Marvin's lips pursed as he studied that card over Tom's elbow. "Very important, huh! To him, I reckon! Tell him to go to hell, Tom."

"No, Sam." Tom squared his shoulders and took his hat. "I'm going to see this man Devers, Sam. In my old regiment they used to teach us to find out all that was possible of the enemy's plans and then to make your own decisions based, not on his plans but on his ignorance and your knowledge. Also, they taught us that when you once start a thing, you never quit till you're dead. Wait here for me, Sam."

He opened the door and passed into the corridor.

CHAPTER III

AS TOM walked swiftly up the corridor, he quickly epitomized what Sam Marvin had told him. Yet, he felt, Sam had not told him all. He was sure that more lay behind those things than Sam had said.

What cause for enmity had existed between his father and this man Devers? Why had Devers and Cargan joined forces? If Sam was right, it was fundamentally the problem that, in the West, was as old as the problem of love versus war—sheep and cattle! They could not live on the same range. He was not old enough to remember the famous Johnson County cattle-sheep war in Wyoming, but in the old days on the Lazy Y ranch he had heard tales of that war from men who had taken part in it and he knew the deadly hate that men feel for others who can and will ruin them.

What did all this coil mean? How had it started? Who had started it?

His footsteps went slower and slower. He was searching for an answer; an answer to a question that was as old as the question that arose in Cain's brain when he saw Abel, his brother, lying pale and bloody before him. Who could have sought the death of Tom Frayne? Obviously only someone who would profit by his death.

Who stood to profit by Tom Frayne's death? He did not yet know, but like a flash it came to him that old Sam Marvin, with uncanny accuracy, had gauged the affair when he said that the very fact that the manner of Tom Frayne's death being undivulged would make the murderers realize that Tom Frayne's friends knew the truth and that sooner or later they would have revenge. Yes! Old Sam was right about that at least! Who stood to profit by Tom Frayne's death? The answer seemed to be a universal shout. But he dared not even yet admit it to himself. He could not accuse innocent men.

He set his teeth hard and the taste of salty blood flowing into his mouth made him wipe his mouth unconsciously on the back of his hand. It came away red. With a muttered oath, he stopped in the hall, took out a handkerchief, wiped off the blood and then, his face set, his eyes cool, he knocked at the door of two-seven-six. But at the back of his mind lurked the nascent thought—robbery and murder!

The door of the room stood slightly ajar and swung inward at his touch and a voice called: "Come in."

He entered and found himself facing two men. They were sitting at a table that was littered with papers, a crumpled County map and a half-emptied decanter of whisky that indicated that the two had started their libations immediately after dinner. The room was rank with tobacco smoke that billowed along the fly-specked ceiling and puddled about the huge brass-encrusted swinging lamp. He recognized Devers though he had seen him but once. The other man was Cargan, of evil repute; Sheep-dip Cargan who had quarreled with Tom Frayne years before; Cargan whom every man in Huisache Valley hated and feared with equal reason. Cargan nodded curtly and glowered at Tom from his chair and Devers came forward with outstretched hand. But Tom ignored that hand. He had no intention of making even a tentatively friendly gesture towards an open enemy. In one hand he held his hat; the other held a cigarette so that Devers' outstretched hand hung uncertainly to his side.

"Mr. Devers, I think," said Tom briskly. "The boy brought me your card. What do you want to see me about? I take it must be a matter of some importance."

Those words brought Sheep-dip Cargan to life. For years he had hated the very name of Frayne and the mere thought of the Lazy Y ranch to him was like a red rag to a bull.

"Hell, man!" he snarled. "Don't take that from him or anyone." He rounded his shoulders and hunched forward in his chair and Tom could see his thick hands gripping the chair-arms till his knuckles turned white. "If the damned fool takes that stand, shoot him the works. Give him both barrels."

DEVERS motioned Cargan for silence and Tom's quick gaze took in every feature of the man with camera quickness. A tall man whose broad shoulders bulked on a massive frame and a head that from a side view looked almost leonine. The jaw was almost prognathous; the eyes small and close-set but the nose was nearly insignificant except as an indication of character. That jaw said that John Devers might plunge headlong into a fight without pausing to reckon the probabilities of success. The nose fairly shrieked the news that when the prospect of success lessened he would almost certainly try to withdraw. The little close-set eyes, like pig's eyes, prophesied the insensate rage, at times, of a maddened pig. When Cargan sank back into his chair and continued to glare at Tom, Devers went on:

"I heard Mr. Marvin of the Lazy Y ranch call you by name in the dining-room and I wanted to see you. I knew your father. . ."

Tom merely bowed. In his old regiment he had learned, almost as a military secret, the fact that:

"Who speaks not at all, tells little." At his silence Devers was slightly nonplussed. Silence always upsets the calculations of a free talker. Devers went on:

"I presume that you are familiar with the fact that your father and I had certain business relations, Mr. Frayne. Business relations that I may say have become of great importance lately. . ." He paused as though waiting for an answer. Tom merely said:

"I can't conceive of any business relations that my father had that can concern me. His business affairs were in good shape at the time of his death. I have only just returned from the Orient and have really not had much time to go into family matters as yet. Some time, when I have time, I'll go into the question, and when I do, if I find anything wrong, I reckon I'll know how to straighten it out."

Devers frowned at the tone. It was one of pure menace and he recognized it.

"I can give you just ten minutes, Mr. Frayne. . ." he said.

"You? Can give me? . . ." Tom's wrath flared at words and tone. "You can't give me anything, Mr. Devers. I didn't want to see you. You sent for me and requested me to come to your room. I don't know your motive and, I'm quite frank to say, I don't care a damn. I don't know what you want, but from my knowledge of human nature, I'm pretty sure that you do want something. And I guess that it's something that you can't get by yourself. What do you want?"

Cargan grumbled heavily but his words passed unheard and Devers raised a minatory hand.

"Of course I know, Mr. Frayne, that under your father's will you are his heir. You and Mr. Marvin own what is left of the Lazy Y ranch. I wanted to see you merely

to tell you what you may not know; that I hold your father's note for thirty thousand dollars and that that note is secured by a mortgage on the ranch. I presume, of course, that you are aware that the courts of this county handed down an injunction preventing your partner, Mr. Marvin, from selling any stock off the ranch till the note is satisfied."

Tom listened patiently, staring hard at the man. This was partly news to him. Marvin had certainly not said anything about the court injunction. Probably he had overlooked telling him. Other matters were more pressing. Matters at the Lazy Y, he felt, must be worse than he had imagined. Devers went on:

"In the meantime, Mr. Cargan here, whom you know, has instituted suit for the recovery of Deep Hole Springs. They undoubtedly belong and always have belonged to the free range—to that little wedge of land that runs into your Lazy Y land like a knife into a cake. That is, Deep Hole Springs did belong to the free range till Mr. Cargan took up a homestead site. Then the Springs became his property. Undoubtedly they are a part of the land that he bought some years ago."

"That was not true when I left home some years ago," said Tom. "But I understand there's been quite a lot of thievin' and crooked work goin' on of late an' . . . I understand Cargan is in it."

Cargan came out of his chair with a rush like an avalanche sliding downhill. Devers tried to head off that rush but he might as well have stepped in front of a landslide. Cargan rushed at Tom with an angry snarl, striking as he rushed, but Tom did not want to hit a man as old as Sheep-dip Cargan. He completely overlooked the fact that mere years do not matter; that a man is as old as his arteries . . . or his hate, and Cargan's rage made him feel as though he were about thirty. Tom side-stepped his rush and met him with an open hand on the very point of the chin. He threw all his weight behind that open hand and thrust with all his force and Sheep-dip Cargan staggered back, tripped over a huge brass cuspidor and went down in a heap, prone on the rug. He was up instantly, tugging at a flat, black holster tucked out of sight under his left armpit, but Devers snatched at his wrist.

"You damned fool," he snarled. "You can't pull open range stuff in a hotel room, with all Palo Verde in the lobby. You're not back in the Espuela canyons."

HE STOOD back and watched Cargan struggle to his feet, his face dark with passion, his eyes blazing.

"You've got away with this just once," he snarled, "but you'll never have a second chance. You'll pay for that. You'll pay."

"I always pay my debts," said Tom grimly. His face was red where it was not white about his mouth. "You listen to me, Cargan! I know you and all your tribe. I've known you and your kind since that day nearly twenty years ago when you stole our hay and the big 'paulin. . . . When my father caught you with the 'paulin of the Lazy Y in your dirty paws. When you tried to swear it was yours till you found our name on it. You're a damned dirty thief and crook and you've never been an' never will be anything else. I'm warnin' you right now—if your trail ever crosses mine, heap stones on it."

Devers, who was not range-bred, was puzzled at the homely idiom. Piled stones on a trail are an indication that the trail is a peace trail—not a war path. Tom turned on Devers:

"Is that all you want to say to me, Mr. Devers?" he asked.

"By no means. You haven't heard me yet. . . ." Devers spoke quickly, with a watchful eye on Cargan. "This is what I wanted to tell you. As I said, I hold your father's note for thirty thousand dollars secured by a mortgage on the Lazy Y ranch. Of course the note is past due. I bought that note from the bank that loaned him the money. The interest hasn't been paid in two years. The total is a little over thirty-six thousand dollars now. Of course, as I said, that note was secured to the bank by a mortgage and that mortgage covers everything; land, water rights, cattle, houses and all. Now it just happens that Mr. Cargan here and I are jointly interested in sheep. This valley is ruined as far as cattle are concerned. Its future lies in sheep. Of course, as a cattleman, I can't expect you to agree with me in that. . . ." Devers' upper lip lifted in a sneer at the dumbness of any man who dared oppose his theorem. "With the price of cattle at the current rate—a little under nine dollars—cattle are as dead as the Dodo, Mr. Frayne. You must admit that. . . ."

Tom said nothing. He would admit noth-

ing till he saw all the cards on the table.

"You see, Mr. Frayne, I'm being perfectly frank with you. We don't want any long litigation over the ownership of those Springs. They undoubtedly belong to Mr. Cargan. Also, undoubtedly, your father believed they were his property. As a matter of fact he did not own them, but I will pay you forty-six thousand dollars to deed over all rights to the ranch and Springs to me. That will give you enough cash to cover your father's indebtedness and will leave you ten thousand dollars. . . . More than any soldier ever had to play ducks-and-drakes with. If you do not accept this offer you will lose the whole outfit."

Tom shook his head. "I don't see it quite that way," he said.

"I told you so," said Cargan explosively. "He is a damn' fool, like his father before him."

This time there was real menace in Tom's gesture as he moved towards Cargan, but Devers was again before him and Tom laughed grimly.

"Don't worry, Mr. Devers. Years ago I made a rule to never hit a fool or a cripple. Cargan ain't a cripple. I'll not begin now, but I'm cautioning you, Cargan. Keep a still tongue in your head. You better not speak of my father at all unless you know just what words to use. Evenin', gentlemen." And he strode out of the room and slammed the door and went back to his own room where Marvin was waiting.

"Well, what luck?" he asked.

Tom told him and Marvin swore.

"I'm glad you smoked them out," he said. "At least we know where we stand. Who's that!" he said suddenly, as the room door slammed open and a burly rancher stood in the doorway.

It was Jadman of the Broken Nose ranch. Tom remembered him well, a quiet, hard-working man who had known more adversity than any man in Huisache Valley.

"Hello, Marvin." Jadman peered at Tom. "By God," he said, "it's Tom Frayne come back. You're the spit an' image of your old man. I wish the old man was back. You're just in time." He thrust out a hard hand that was none too clean and his eyes gleamed as Tom took it. "You come back to stay, Tom?"

"I have." An indefinable note in Tom's voice made both men glance at him.

"I saw you come upstairs, Marvin, and I wanted to see you right away. There's a kind of a meetin' in Joe Webster's room on the next floor. They told me, Sam, to tell you to come right on up. It's important. They didn't know Tom was here or, of course, they would've wanted him."

"Who's they?" demanded Marvin.

"You know the bunch, all the cattlemen in Huisache Valley. Come on."

They followed him into the room on the floor above and Jadman stood aside as he flung open the door. Marvin paused a moment in the doorway, his keen eyes scanning the gathering. Cooper was there and Morrison, Morton from the Bitter Root ranch, Curry too, who single-handed had trailed a bunch of horse thieves into Mexico and brought them back with seven more horses than they stole. They all glanced at the door as Marvin thrust Tom in ahead of him.

"Here's a man you all want to see," said Marvin. "It's Tom Frayne of the Lazy Y come back."

A STOCKY little man, square-shouldered, and gray-bearded, almost leaped at Tom, seized him by the arm and shook him exactly as Sam Marvin had done, and his stiff gray beard, standing out as though carved from granite, thrust forward aggressively.

"Tom Frayne." His voice was between a shout and a chuckle. "I'd be glad to see the old man, but you'll do in a pinch. You know me, Tom, don't you? I'm Joe Webster."

Years had changed old Webster, but the name bridged the years.

"You know what we're up against here in Huisache Valley?" demanded Webster.

"By God, it's time somebody told him if he don't." Leeper, a shaggy giant from the Amargo ranges where water is something more valuable than gold, crashed a quart bottle upon the table, but Webster promptly corralled it.

"Drinking comes later, Leeper," he said. "We've got work to do first. You listen to me, Tom Frayne. I'm telling you just exactly where we all stand."

The big men . . . .there were a dozen there . . . representing every one of the big ranches from the Mexican line to the line of the Colorado Grande, stood back and waited.

"When you went away, Tom Frayne, your old man owned the Lazy Y, the biggest and best in all Huisache Valley. It

was cattle days then. It was just like I heard a preacher say once: 'The beasts of the forests are mine and so are the cattle upon a thousand hills.'" He laughed ruefully.

"Tom, we ain't had a drop of rainfall for nigh onto three years. The snowfall has been light too. Where we used to have water we got red dust. The only permanent water we got in the valley is what we get from Deep Hole Springs and the irrigation ditches we've led from those springs. There's water enough in those springs to stock an entire valley if we don't overcrowd it. First thing that happened after you went away, your father got mixed up with Devers and Fargus. He and Fargus lost a lot of money.

"Hell, man," he said as someone raised a protesting voice, "Tom don't mind my saying it. The whole valley knows it. We all know Devers bought the note that old Tom Frayne gave to raise the money that Fargus later walked away with. Every one of us knows about Cargan and his suit for Deep Hole Springs. Every one of us knows that Devers and Cargan run sixty thousand sheep. If Deep Hole Springs goes to Cargan, you know what chances we've got. Every ranch in the valley is mortgaged to the hocks. Where Coyote Creek ran bankfull three years ago, she is as dry now as a White Ribbon Convention in Kansas. The only water we get comes from Deep Hole Springs. They'll pull us through if we get a good snowfall come winter. Seen the lower valley, Tom?"

Tom had not and said so. Webster nodded.

"I thought so," he said. "The valley is as full of windmills as California is with oil derricks. . .water anywhere from thirty feet to two thousand. . .pumped up by gasoline engines that cost. . . Whoosh!" he nearly exploded. "You've been a cattleman, Tom Frayne. You know what it will mean to Huisache Valley to have them springs passed to Devers and Cargan and have them stinkin' sheep on the ranges. . ."

Tom knew well. Sheet eat out the very roots of the grasses and in a country where water-holes are infrequent and shallow and water is scarce, sheep run belly-deep into the water and taint the water with the oil from their fleece. Often, standing on the edge of a pool with the water between him and the setting sun, Tom had seen that iridescent film over the water that told that sheep had been there. He knew, too, that cattle would almost die of thirst rather than drink that tainted water. Those big ranchmen had good cause to fear and hate. And hate is the offspring of fear.

"I suppose the courts will decide the ownership of the Springs." Tom hardly recognized the sound of his own voice. He seemed to be talking to himself from far away, but he had to say something.

Leeper laughed, as at a good joke.

"They'll decide all right," he said. "With old man Fargus joint owner with Devers and Cargan, I can come damn' near telling you what the courts will say. Do you mean to tell me that you'll trust the ownership of your ranch to that gang to decide who owns the water?"

"Listen here, you men." Tom straightened up and stood tall and dominant. "I've been away so long that I'm not entirely familiar with happenings here, but I know this, and you know it too—if we take matters in our own hands it means war. You all remember what happened in the Johnson cattle war way up in Wyoming years ago."

They stared at each other and paused as the door shook under a shower of blows.

"Come in!" shouted Leeper.

The door opened and closed behind a little man who stared through the tobacco smoke from tired blue eyes. For a moment no one spoke, then Leeper thrust his bottle at him.

"Speak up, Owens," he growled. "What's the Western Union got to tell us? Everybody on God's green earth seems to be in on this. He is the telegraph operator," he said to Tom, "at the station, you know."

Owens snatched a hasty drink before Webster corralled the bottle.

"I know you were meetin' here," he said. "I saw the bunch headin' up the stairs as I went to supper. I'm not supposed to give out any information that comes over the wires, but this happens to be somethin' that you ought to know. Sourdough Brenam came in on the night train. Oscar Cargan, son of old man Cargan, met him on the platform right outside my window and I heard Brenam tell Cargan that he got his message all right and he'd be in with his gang next Saturday night."

"What gang? Who's Brenam? What are you talking about?" Tom pulled Owens forward into the lamplight.

Owens squirmed in his grasp. "That's the

gang Cargan uses when he wants anything raw pulled off," he said.

"Who's this man Brenam?" demanded Tom of the room in general.

A half-dozen voices answered him. "Sourdough Brenam."

"Sourdough Brenam. . . . He killed Paint White up in the Pinto Basin last year. . . . He held up the stage and took ten thousand off it. . . . He undertook to guide Underton and his wife over to Tres Fuentes Silver Mine," said Leeper bringing up the rear. "Later Underton was found dead, and his wife—well, she was alone with Brenam for a week on the desert. That was all."

It seemed to conclude all that the men wanted to know about Brenam.

"Much obliged, Owens," Tom's voice was like chilled steel. "And Brenam told Cargan that he'd have a bunch of men coming in Saturday night. I reckon that's about all we need to know." Tom hesitated. . . The moment was vital. . . The men were waiting. Something must be done. If he did nothing, someone would do something that must not be done.

"You fellows all meet me here Saturday at supper time," he said. "The train gets in at eight. We don't need outsiders, I reckon. We can attend to our own business. All right, Sam, let's go. Hasta sabado," he said, "until Saturday."

Sam Marvin shot a quick look at him as they followed the others down the stairs and went directly to Tom's room.

CHAPTER IV

THE moment that room door closed behind them, Marvin went to the bureau, extracted Tom's flask and poured himself a gargantuan drink.

"I seem to need this drink, Tom." His voice had in it a hint of miles of alkali; of fold on fold of waterless ranges; of the dreams of youth transmuted into the visions of later life. In Sam Marvin's whole attitude there was an indefinable suggestion of futility; that somewhere in his life he had run head-on to an unscalable cliff, and Tom, glancing at him, was suddenly aware that Sam was showing his age.

Sam Marvin had all his life been very close to Tom Frayne, Senior. He had loved Tom and Nellie, his wife, with a love that had stood the acid test of years and that love had passed to the son. He sputtered over his drink, passed a hand across his face and set the drink down only half consumed.

"Just what are you aimin' to do, son?" he asked. "We got to do some figurin', you an' me. You can't just go flarin' off like one o' them Roman candles they light on the Fourth o' July, all noise and sputter."

"I see it this way, Sam. . ." Tom seized the half-emptied glass and finished the drink at a gulp. "There are two big problems starin' us in the face an' both have got to be solved. The most important to me is to find the man who killed my father. I know people will say, 'Leave that to the law.' I'm perfectly willing to have the law take its course. . .if it will. But we know damned well it will not. When public law falls down on its job, it's up to private individuals to enforce it. I will find the man who killed my father. It was a one-man job. I'll make the payment a one-man job too."

"An' hang him?" said Marvin hopefully.

"I don't care if he's hung or not. I'm not interested in throwin' a sop to the law." And Tom's teeth set viciously. "I mean to kill that man like a dog, a damned dirty, cowardly, mad dog. I'll give him no more chance for his life than he gave my father."

Marvin stared wordlessly at him. This was a new Tom that he had never seen before. He was not quite sure whether he admired or feared him. Tom went on:

"But before we come to that problem, Sam, there's another that must come first. We've got to straighten out this matter of the ranch. If that man Devers and Cargan get their thievin' paws on the Lazy Y; if they get Deep Hole Springs, we're busted before we start. If they get the Lazy Y, we will not have a dollar to wage war with. There's been dirty work there, Sam! The man who killed my father got the bonds. Those bonds were unregistered, so they can be sold at any time without any transfer. If the murderer has not sold them it means. . . You guess."

Marvin gaped at him. He had always been certain that old Tom Frayne had been murdered for the thirty thousand dollars' worth of bonds that he carried. Now Tom was hinting at something else. He stood like a man suddenly petrified and stared at Tom's eyes that flamed like live coals with a curious light that seemed to emanate from the brain behind them. Tom nodded as though Marvin had agreed with him.

"I see you've got the idea," he said. "If the man who got those bonds has not sold

them, it was for a reason. That reason can only be that he wanted to get those bonds because they were Dad's collateral on which to raise money. The man or men who wanted the Lazy Y ranch is the man concerned. Who wants the Lazy Y?"

"By God!" It was an explosive oath from Marvin. He stood stock-still staring at Tom and his eyes narrowed to points of light.

"Hold on a bit," said Tom. "Never hurry a herd on trail. Let 'em pick their own gait. The first thing for us to do is to block that part of the scheme that touches the ranch. If we lose the ranch we can't get the cash we'll need to fight."

"Yeah. But how does the comin' of this Sourdough Brenam and his gang affect us? Tell me that."

"I don't quite know," said Tom frankly. "But I do know that Cargan must be plannin' somethin' that depends on this man Brenam bein' in Huisache Valley. If we stop Brenam we stop Cargan. He'll not know what we actually know and he may uncover himself. We'll get Brenam."

"It's your funeral," said Marvin. "But don't get in a row."

"Listen, Sam. . ." Tom buttonholed Sam and nearly tore his coat off: "I'm playin' a hunch. It may be only a hunch and it may be a bad one, but all the same it's mine and I mean to play it. Let's get to bed now and get some sleep. We may need all the sleep we can get."

Sam Marvin eyed him suspiciously. For many years he had not seen this Tom Frayne, but he knew the breed and, knowing, was not so sure but that he had picked up something too hot to hold. They got little sleep that night.

MARVIN was little wiser when he waked than he had been when he went to sleep. For nearly six hours he had tossed and fumed over the problem and the more he thought over it the more he was convinced that Tom had "some cards up his sleeve" that he had not disclosed.

"If you'd only come across an' tell me just what you mean to do," he complained over his boots, "I'd admire to know. This here business of playin' in the dark don't appeal to me noways. Just what're you aimin' to do?"

"To get out to the Lazy Y first of all. Breakfast and then go."

They left shortly after dawn. The half-wild horses whirled the buckboard along the rough trail at breakneck speed, but for miles neither man spoke. Tom first broke the silence.

"Where does Sheep-dip Cargan get his money to fight the case in court over the Deep Hole Springs?" he asked.

"We've talked that over. . .Devers!" said Marvin. "Senator Fargus, too We are payin' our share, too, I bet. We've got only seven men on the ranch rolls now, where we ought to have twenty. Can't afford more. I can't run the place with only seven men. I know our stuff's bein' rustled right an' left, but we can't trace it. I know it, but I just can't prove it."

"Huh. Cargan was busted flat when I left home," said Tom grimly. "He lived from hand to mouth an' generally it was somebody else's hand and his mouth. He's always had that big holdin' west of the hills, but I never heard that it paid him." Again he sank into silence.

Sam preserved silence and poured leather into the ponies.

An hour later a whirl of red dust to his right front caught Tom's eyes. Wordlessly he jerked a hand at it. His companion glanced at it and grunted.

"Stage from Tres Hermanos," he said. "Oh, I forgot you don't know about that. A couple of capitalists from back East came out here. . . You heard Leeper say last night that Brenam killed a man named Underton. . . Well, Underton was one of the men interested in Tres Hermanos."

"Good Lord," said Tom. "You don't mean that old abandoned mine that hasn't been worked for years?"

"I sure do." Marvin clucked to his horses. "They lost the ore lead when you were a boy. They spent a lot of money in it and they struck underground salt water. Later they put in a new-fangled sort of a pump. They pumped it dry and picked up the ore lead. They smelt their own ore, they tell me, and ship by Wells Fargo. . . That's their stage."

It crashed past in a whirl of red dust and Tom was aware of a big man on the back seat with a shotgun across his lap, and an equally big man quirting into the horses. A curt nod to the driver and the stage was past them, heading for Palo Verde. Marvin grinned into his beard but Tom paid no attention.

"Gold in Huisache Valley," he muttered. "That would solve all our problems."

"So would diamonds," said Marvin. "I

never heard of a diamond mine, either. We're cattlemen, son. We'll stay cattlemen, I reckon. Yonder is the house. The whole bunk-house is comin' out to meet us. Wonder if they can't find anything to do when I'm away?"

A shrill yell of welcome rose from the group. They were most of them old friends whom Tom knew well. Lee and Persons and Bins and Wells and Hope. Esmer and Tex Bains were new. Marvin motioned them all inside the house and got a demijohn from the closet.

"The best way to open a new management is to christen it."

"There's no new management." Tom thrust him aside. "We're carryin' on like we always did."

"Huh." Tex Bains set his glass down untasted. "Then you got to do somethin' about the Springs," he said. "I was over there yesterday afternoon. Our wire's been cut again."

At that Tom flared. "We'll settle that later," he said. "In the meantime how about some supper, Sam? I haven't seen Pot-belly yet."

In the kitchen Pot-belly heard and came at the word. His heavy hand almost hammered Tom into the fireplace and his eyes were bright but his words were gruff as always. Not for the world would Pot-belly have acknowledged his feelings.

"You've come to a last year's bird nest," he growled. "Has Marvin told you"

"Uh-huh. What about supper, Pot-belly?"

Pot-belly departed, and when Tom and Sam had eaten, Marvin drew Tom into the office. Before the door closed, Pot-belly waddled into the room. He was searching pocket after pocket.

"A boy come over this afternoon with a note for you, Tom. I had a hard time gettin' him to give it to me. He said Frances Wemys sent it to you."

"Frances Wemys? Good Lord, man!" Tom fairly grabbed the note. "You must have lost what you call your mind, Pot-belly. I haven't seen Frances for four. . . five. . .good Lord! . . .it's nearly six years. She was seventeen then. . .just finishing school. She sure was a pretty girl."

POT-BELLY regarded him unblinkingly. "Men have lost cattle in this valley," he said. "Others have lost their money, but Fran Wemys ain't lost no good looks. She's a hell of a long way from being bankrupt." The door closed behind the departing ranch-cook and Tom opened the note, only subconsciously hearing Marvin groaning on in low-toned talk as he filled his pipe.

"Finest gal in the valley," he said. "When the Lord makes a girl like that he breaks the mold so nobody can duplicate it. Pity about old Wemys."

"What?" Tom looked sharply. "Fran says here that she must see me at once on an important matter. She tells me to come to the house the first time I'm in Palo Verde and not to let Devers see me come. What the devil's afoot, Sam?"

Marvin went on. "You mind old man Wemys? He come out here for lung trouble and his wife died. Then he began to drink. The curse of Cromwell is upon him. He can't pass bottle full nor glass empty. He's drunk himself out of four jobs. It was only when Frances got so darn pretty that John Devers used his pull and got Wemys made county surveyor. Fran is a school teacher now in Palo Verde. . .Devers' pull again. That is, he didn't get her the job but she would lose it if he said so. You like her, Tom?"

"Like her? Listen, Sam, when I was a kid here she was about five years younger. We went to school together. I boarded in Palo Verde, you remember, to go to school. Time and again that kid would divide her lunch with me when I didn't have any. Time and again she'd ride my pony with me. Like her? Yes, Sam, I sure do. If she says she wants to see me, though, it must be something important."

"Well," Marvin unrolled a big wall map and got out the ranch books. "We better get to work, Tom."

It was past midnight when Tom turned in. His last waking thoughts were an odd jumble; that he must see Frances Wemys, and that nothing under heaven should make him lose the Lazy Y. Then he passed off into dreamland and was suddenly aware of a huge snake crawling towards him, a snake that, oddly enough, bore the head of John Devers. The next thing he knew, the huge iron triangle in the yard was thundering its summons to breakfast and Pot-belly's raucous voice broke the dawn hush.

"Wake up, Jacob,
Day's a-breakin',
Fire on the hearth
An' the hoe-cake bakin',

"If you don't come and get it, I'll throw it out."

Marvin had picked a blue roan for Tom to ride, and stood looking after the column of red dust that passed down the trail. He was still staring when Pot-belly came up to him.

"Tom means business," said Pot-belly. "I only hope that what he picks up ain't too hot to hold. He better spit on his hands."

It was high noon when Tom reached Palo Verde and the little town was somnolent. Heedful of Frances Wemys' warning that Devers must not know of his visit, he went to the hotel and took a room where he finished his lost sleep of the night before. It was hard to remain hidden when there were so many people he wanted to see, but he felt that Frances probably meant more than her mere words.

Night had fallen and the scattered kerosene lamps along Palo Verde's streets showed like lighted pin-holes in a dark blanket as Tom picked his way towards the Wemys house, a little bungalow set back some forty feet from the street line in a clump of chinaberry trees and a four-foot board walk led from the steps to the gate. The clack of the shutting gate and the noise of his heels on the board walk gave warning of his approach, then the door opened and Frances Wemys stood outlined against the lighted square of the hole. She was above medium height, her head well above Tom's shoulder, and she looked squarely at the world from unflinching gray eyes that were lit with little hazel sparks. She thrust out both hands to Tom in the warmest of warm greetings and she made no attempt to resist as he swept her into his arms and frankly kissed her.

"Good Lord, Fran, you're like a drink of water in a thirsty land. You're to Palo Verde what Deep Hole Springs is to the Lazy Y." He followed her inside the house and dropped his hat on the floor.

"What in the world did you mean by your note?" he asked. "I came as soon as I could. Don't get me wrong. It didn't need your note to bring me. The minute I found that you were still here, a forty-mule Borax team couldn't keep me away."

The door of the side room opened and Ben Wemys stood in the doorway. He was a tall, shambling man with a face of that peculiar pallor that announces tuberculosis. Also, he coughed from time to time. He came out into the hall, bringing with him a mingled aura of bad tobacco and worse whisky. He blinked in the glare of the hall light, then brushed aside Tom's outstretched hand.

"Well," he said, "I heard you were back. If you were doin' well where you were, you had better stayed there. 'A rolling stone gathers no moss.' "

Tom forced a laugh. "And setting hens don't grow fat, Mr. Wemys. Kind of cold welcome. Aren't you glad to see me?"

Wemys thrust aside the question. "I've got nothing against you," he said.

The ungraciousness of the greeting, though it was plainly due to whisky, cut the girl to the quick. She took Tom by the arm.

"Come," she said. "We'll take a walk, Tom. I want to talk to you. Dad's pretty busy anyhow." And she half turned towards the door when her father stopped her.

"John Devers is coming here tonight," he said. "He told me he was coming here to see you. You better stay home here and see him."

AT THAT, Frances Wemys, who had her mother's own temper, flared into righteous wrath.

"If you think I'm going to be dictated to by Mr. Devers, or by him through you, you're very much mistaken. If he comes here to see you, I can't help it. If he comes here to see me, I can at least go out. I've got just as much use for John Devers as a partridge has for a setter."

When she was halfway out the door and Tom at her heels had barely time to retrieve his hat from the floor, she headed down the board walk in advance of him and Tom was vaguely aware that her wrath had given place to tears as they stopped under a chinaberry tree. Tom took her in his arms and patted her shoulder. Then the gate clicked and a burly figure clumped up the board walk.

"It's that man Devers," said Frances breathlessly.

The house door opened and they could hear Ben Wemys's voice.

"If you don't want to see me," he said, "you better stay out. Frances's gone out with young Frayne."

"I told you to tell her I was coming," said Devers. "If you can't control your own daughter, it's time you're learning. You keep him away from here. I won't have him coming here to see your daughter."

Those words came clear and distinct. Tom gently put Frances from him and moved swiftly towards the house. She tried vainly to stop him but could not keep abreast on the narrow walk, and her shoulder was against his as they passed into the hall where Wemys and Devers stood.

Devers's face was black with rage and his little eyes twinkled menacingly. He had worked himself into a passion that numerous drinks only made worse. He turned on Tom in hot passion.

"You keep away from here," he said. "There's some places that even you, good as you think you are, can't go. There's some places where you can go where your thieving father ought to have been, and that's jail."

At that word Tom struck him. He didn't know about covering up with his left and making short jabs with the right, and he didn't know anything about footwork, but he did some of the most beautiful work in his life. His right shot out with the full weight of his hundred and sixty pounds behind it. It caught Devers squarely on the point of the chin, rocked him back on his heels and sent him crashing into a pair of elk horns that formed a hat rack. The next moment Tom jerked the half-conscious Devers from the floor and the next two minutes got in some excellent footwork in which he had been wholly untrained.

"Now," he said, "you better go out in the kitchen and patch up your injuries, and just remember this . . . that the next time our trails cross, I'll manhandle you as sure as my gun's iron.

"Good night, Frances, I'll see you soon. I can't tell you how much I've enjoyed the whole evening."

And Frances Wemys, looking after him as he passed down the path, suddenly realized that she had enjoyed it too.

CHAPTER V

PALO VERDE on Saturday nights was almost cosmopolitan. Waddies from ranches up and down the valley, intent on drinking up their pay, expressed it: "We're just wolves for six days, but come Sat'day night . . . that's our night to howl."

It was not only the ranches that peopled Palo Verde at week-ends. The red hills behind the town were rich fields for prospectors and the steep slopes of the myriad canyons were dotted with "glory-holes," where men dug like inspired prairie dogs for lost ore-leads that capital would promptly take over . . . when found. Even sheepmen, despised by the valley, foregathered in Palo Verde's bars, for the cattlemen had tacitly agreed to a sort of Truce of God that held over from Saturday till Monday.

But when Tom headed for the hotel, most of Palo Verde had gone to bed. Only the plaza was alive, where saloons and gambling joints were doing a thriving business. The hotel lobby was crowded with men even at this hour and they eyed Tom with some curiosity as he headed for the office. One or two men, thinking they recognized him, nodded a greeting, but to most he was a stranger. It sank in like a stone in water and the feeling hurt. . . . That he could be a stranger in his own land.

"I'll need a lawyer and Pete Judson'll be the very man I want," muttered Tom. "If a man ever needs a lawyer, it'll be when he's facin' a layout of crooks . . . and that's just my case. It's a queer thing too," he reflected: "When you come to think of it, that a knowledge of law is needed to help a man go straight. I'll hunt up Pete. The clerk ought to know him . . . if he's practicin' in Palo Verde."

PETER JUDSON, known aforetime, had years before been Tom's fidus Achates when Tom came to town. He knew vaguely that Peter had studied law, so his thoughts naturally turned to him. He buttonholed the hotel clerk and put his query.

Sanders, the clerk, mouthing a gold-mounted toothpick, let his information trickle out of a corner of his mouth as though it were water on parched land.

"Judson? Peter Judson? Sure I know him. Yes, he's a lawyer. He holes in above Brown's Saddle Emporium. I haven't been here very long, but Pete Judson's sure a fixture. You ask anybody but Mr. Devers if he knows Judson an' see what they say. But Mr. Devers's different. He hates Pete Judson like a partridge hates a red dog. What? You ain't heard why not? I reckon you're a stranger here, huh?"

Tom had to confess that he was indeed a stranger. A stranger in the valley that his father had first settled! It hurt but it was true.

"It's like I say. Yes. Judson's a lawyer here. Like I said, he lives above Brown's

place. Bein' above the saddle store he calls his office an' sleepin' room the bridle suite. Get that? That's just a joke," the clerk assured him gravely.

"Is he a good lawyer?" asked Tom.

"Looky here, Mr. Frayne. When you're askin' me is a man a good lawyer, it's like askin' me is arsenic a good poison. There ain't no good lawyers, only some ain't so bad as some others. Pete may not know how to get you out of trouble, but he can sure keep you out. He reminds me of an old fellow I knew out in Hunt County. He was so close he'd squeeze a dollar till the eagle hollered. Somebody asked Judge Carmichael about him and the old judge says, 'Well, I wouldn't say that he'd go plumb to hell for a nickel, but he'll sure fish around the hot edges of it till he falls in.' That's Judson."

"The very man I want," said Tom. "Where's the bridle suite? I used to know Pete Judson before he began to practice law."

Sanders told him and Tom departed. He spotted the "bridle suite" by the reek of an evil-smelling coal-oil lamp and behind that lamp a tall, gangling figure was slumped up over a desk. Tom rapped on the door and under the lower edge of the blind saw the figure quickly slip a paper-covered book under the table and hastily open a calf-bound legal volume. Tom entered noisily. Judson rose, stared at him for a moment, then fairly leaped at him.

"Tom Frayne," he said. "By all that's holy! Where you from? What lucky wind blew you in?"

Tom told him. "I want to see you, Pete. I've got some business that may amount to something. You're not by any chance mixed up or retained in any way by Cargan or Devers, are you?"

Judson looked him up and down and laughed in a silent way peculiarly his own.

"Listen to me, Tom Frayne. . ." His cachinnated laughter died away. He filled an ancient pipe with tobacco that was mostly crumbled cigar-butts that he kept in an old shoe-box on his desk, and when he got the reeking mass alight he puffed a cloud at Tom and sent him swearing to the window. Through that cloud Judson spoke:

"I know darned well, Tommy, you don't mean to start a civil war by askin' me if I'm on good terms with that crooked Devers-Cargan gang. I've been practicin' law here in Palo Verde now for six years. I've had a few cases; not many. What d'you reckon was the biggest case I ever had?"

"How the devil would I know?" demanded Tom.

"It just happens that I was detailed to defend a man named Wolff. And Wolff happens to be the brother of Devers' wife. His dead wife, I mean. Even Devers was able to coax a woman to marry him, so there must be a hope for all of us. She died just before Devers came into the valley, I believe. Anyhow, he's a widower and Wolff was his brother-in-law, an' a peach he is, too. Wolff was accused of havin' arranged and helped in runnin' off some twenty horses from the Broken Wheel ranch. He was as guilty as hell, too. Two of his associates turned State's evidence and were ready to soak him. He of course invoked and got money an' aid from Devers. Devers let too many open threats get about as to what'd happen if Wolff was convicted. . . ."

"Did you get him off?" demanded Tom, who knew perfectly well how, in the old days, Huisache Valey regarded horse-stealing.

Judson regarded him from half-closed eyes.

"It was such an open-and-shut case," he said, "that there was only one chance to save the man's neck. Personally, I never thought his damned neck ought to have been saved, but as his counsel it was my duty to do the best I could for him. There was no question of the jury's verdict. The only hope to save him was to get an easy sentence. That bein' so, I made him plead guilty. He was glad to do it too. The case was tried before Judge Toner and it just happens that Toner is, as you know, an Old Timer. His own life was imperilled once by havin' his horse stolen and puttin' him afoot over in Black Death Valley. To old Toner to steal a man's horse' was to kill him. More'n that, the penalty out here happens to be capital. You know that."

Tom knew it well. It was a hangover from the old days when a man's horse was his very life. Advanced ideas had from time to time been promulgated to change that law, but there were too many Old Timers in Huisache Valley. The old law held.

"You see," said Judson, "Devers wasn't here, but Wolff got the idea that Devers could do anything. So he could, with most men . . . but not with Toner. Toner hated

Devers like poison. . . . Has hated him since the day Devers foreclosed a mortgage on some property that belonged to Toner. . . . Foreclosed while the judge was away. Got judgment and got the property. All right. There you've got it. The jury got the case and returned a verdict in keepin' with the plea. . . . The only verdict they could return . . . Guilty."

"Go on. . . ."

"The court adjourned and Wolff asked to have a conference with me. I met him outside the courtroom and he cursed me. He seemed to realize he was in a hole at last. Devers was away, too. Wolff asked me what I could advise and all I could say was:

" 'Well, the judge told me to do the best I could for you. I can do no more and I'll never be paid for what I have done. The best that anybody could do for you would be to have you steal another horse and light out. . . . Towards Mexico.' Damn it all, Tom! I never thought the fool'd take my advice. . . .

"Anyhow, he turned to the deputy sheriff who was supposed to be watchin' him an' said he'd like to speak to the judge. Gorrill, that was the deputy, started with Wolff for the room door, but as they passed a hall closet where the janitor kept his brooms, damned if Wolff didn't push Gorrill into the closet, lock the door and run out to the tie-rack. Before anyone realized what had happened, he was on a horse an' fannin' down the street headin' for the hills. You can't imagine what a hell was raised. Then Judge Toner came out an' asked what it was all about.

" 'He stole another horse,' shouted somebody. 'A big roan from the tie-rack. . . .'

"At that Judge Toner let out a yell that you could have heard a mile.

" 'You damned fools,' he shouted, 'that was my horse. Come in. The court will pronounce sentence even if the condemned man is not here. Someone get Sheriff Quigley. I don't want any of his damned deputies. They got no more sense'n to let a horse-thief lock 'em up in a broom closet. Get Sheriff Quigley.'

"In about ten minutes they got Quigley; found him playin' faro in the Red Dog place, an' Judge Toner handed him a paper.

" 'You swear in a posse an' get that damned horse-thief,' said the judge. 'Get him, and when you get him hang him where you catch him. Don't bring him back here. . . . But get my roan horse. Hang Wolff where you catch him. Is that clear?'

"Quigley said it was and looked around for someone to swear in on the posse and, as bad luck would have it, he picked me first. He got eight of 'em finally sworn in. . . ."

"Well, go on," said Tom as Judson paused to refill his pipe. Judson grinned reminiscently.

"We started from Ed Hope's place just as soon as Quigley an' his bunch had time to get their drinks, an' we rode all that day an' that night. That roan of Judge Toner's certainly could cover ground when he had to. We'd have caught up with Wolff easily enough but for a damned sheep-herder. It was Willis Cargan, I found out later. He put us on a wrong trail, so it was three days before we finally came up with the man. You remember Lobo Mesa?"

Tom remembered Lobo Mesa well; a stony, treeless flat plain that stretched for miles to the foot of the great range of hills to the south-west. Even prospectors kept clear of Lobo Mesa. It was waterless and treeless.

"He wasn't much surprised when we overtook him. We overhauled him about noon when he was roastin' some cactus to get juice. He didn't try to run. He just looked up at us and sort o' grinned.

"Quigley pulled out the paper Toner'd given him and read it to him and Wolff sort of grinned.

" 'I'll go back with you if I've got to,' he said. 'But you can't hang me here. I don't care what that bald-headed old fool of a judge told you to do—you can't hang me here.'

" 'Why can't I?' asked Quigley. 'I got the order and I got you. Why can't I carry out the order of the court? It says to hang you where I take you. It's a cinch I can't hang you any other place. But I can hang you here an' I'm aimin' to do it.'

" 'What to?' says Wolff. Then I saw what he was grinnin' at. There wasn't a tree for miles and, if Quigley was right, it'd be against the judge's own order to hang the man in any other place except right where he was taken. And Quigley couldn't hang him there because there was nothin' to hang him to. See?"

TOM began to laugh and Judson shook him till he seemed to rattle.

"It just goes to show you how crookedly

men can argue," said Judson. "When Quigley took back that court order he turned to me:

" 'You're a lawyer an' you got him into this here mess,' he said. 'I call on you now as a member of my posse. How can I hang him?'

" 'Hang him to a bush,' I said, and turned away laughin'.

" 'You can't hang a man to a three-foot bush,' says Quigley.

" 'Why not?' says Whitten. The law only says 'To be hanged by the neck until he is dead.' It don't say a word about the position of the body. Of course I'd admire to see Wolff hangin' from a good old oak tree. But there ain't no oak. If you can't hang him *vertical,* you kin sure as hell, hang him *horizontal.*'

" 'How in hell can you hang a man horizontal?' says Quigley.

" 'Easy enough,' says Whitten. He went to the horses and came back with two lariats. 'Tie his feet to a bush,' he said. 'Then put the loop around his neck an' let a pony take up the slack. It ain't what you'd call quite regular but it'll stretch his neck pretty good. He won't steal no more horses. That's my word.'

"Somebody in the crowd began to laugh but Wolff didn't see any joke about it. He jumped up, grabbed Quigley's gun and shot Gibbs in the leg and started to get away when Quigley shot him. That was the end of Mr. Wolff—and my biggest case to date."

"You tell me that you're not retained by Devers or Cargan?" asked Tom again. He wanted to be very sure. "They haven't retained you?"

"No more than the cheese is retained in a mouse trap," said Judson. "Two or three times they've tried to retain me, but I slipped out from under. Look here, Tom, I've been tryin' to practice law for five years. A man's out of luck tryin' to practice law in a cattle town. The minute you tell the cattlemen you got your sheepskin, meaning your diploma, he's up on his hind legs right away and goes on the prod."

Tom fished in his money-belt, brought out a twenty-dollar gold piece and laid it on Judson's desk. "This is a small edge of a retainin' fee," he said. "Now listen, Pete, I got a story to tell you."

Judson sat down, filled his pipe, and disposed himself to listen, and in ten minutes Tom had given him a brief resume of all that had happened since his return. Judson's face, at first grinning, grew grimmer as he listened, and finally, when Tom stopped, he rose and tramped the floor.

"You don't quite realize," he said, "the extent to which this damn' man Devers controls the valley. He's got money and that money got him pull. How? Good God, man, when a man needs money he borrows it from Devers and Devers takes a mortgage on his property. The valley's full of small ranchers. Those mortgages cover land, cattle, and all property. Remember what Solomon said, 'The borrower is servant to the lender.' When Wemys' wife died, Wemys began to drink. You know he was always a right thorough man. They tell me that when he got a keg of whiskey he'd suck everythin' out of the barrel but the bunghole. Frances stood it as long as she could, then she got a job school teachin'. She had no trouble gettin' the job, but she will only hold it just as long as Devers wants her to. Everybody knows that Devers wants to marry her and everybody knows that Ben Wemys can't call his soul his own. Incidentally, in losing title to his soul, he hasn't lost a hell of a lot anyhow. I don't know him very well, but it's my private opinion that you could punch the pith of a horse hair and put Wemys's soul in it and it would rattle. First thing for you to do is to turn in here and get some sleep. Then in the mornin' we'll go over to the court-house and see what we can uncover in the Wemys-Devers matter."

HE GAVE Tom a crazy army bunk and two blankets in a small alcove that smelled like a screech-owl's nest. The only window was nailed down, but Tom opened it by the simple process of kicking out the sash.

"I'll make some coffee here in the mornin'," said Judson. "We'll get over as early as we can to the court-house."

For two hours the next morning Judson, with Tom at his elbow, searched and pried among the filed mortgages.

"I think here's what we want," said Judson in a low tone. His lean forefinger tapped a filed mortgage and Tom read it. It was a mortgage made out by Wemys to Devers on his house and lot for the sum of one thousand dollars.

"And that property is worth four thousand dollars," said Judson. "That's the way

Devers does business. All right, now we know where we stand."

"Let's go get some good coffee," said Tom. "That stuff you gave me was grounds for murder."

Judson regarded him sharply. "If you're makin' another joke at this time in the mornin', when I haven't had anythin' to eat, I tell you right now you're askin' for trouble," he said.

They went to the All American Restaurant, which was naturally kept by two Greeks and served by two Chinamen.

"What you want?" And Judson extended a greasy menu card to his friend while the grinning Chinaman waited quietly for the order.

"I think," said Tom, after carefully scrutinizing the menu that had served at least three generations, "I'll take a saucer of fly specks."

"Fly specks?" said the Chinaman. "No can do. No got."

"Take them off the menu then and catch 'em hot cakes."

"You'll probably get both," said Judson from the depth of past experience.

"You say that Devers and Cargan are planning to bring that Brenam gang in?"

"The telegraph operator said they would be in Saturday night," said Tom.

"Then that means that Devers and Cargan are about ready to strike. Listen to me, Tom Fayne. That suit that Cargan brought over the springs has been continued and re-continued and opened and reopened like a five-gallon demijohn. It's almost a standing joke in the courts. When the court's in session and there's no other case on the docket, the judge will say 'Let's hear the case of Cargan versus Frayne.' It's always good for witness fees and costs. How much money have you got?"

Tom told him. Then he leaned forward and spoke warmly.

"I'm not counting on winning this case if I have to count on doin' it with money." he said. "There are other means. I tell you right now, Pete—Cargan and Devers'll never bring their sheep on to Deep Hole Springs. I mean to run down the man who killed my father and stole his bonds."

"And I'll help you."

They struck hands across the table.

"Remember one thing, Tom. 'Til we get our gun loaded, keep away from Frances Wemys. All you can do there is to create enmity between them and Devers, and if you lose out they'll lose everything they've got in the world."

"All right. I'm headin' back for the Lazy Y."

Tom got his horse and headed back along the unfenced trail. Mile after mile of grass-land spread out before him like a blanket; land where, in ordinary times, the grass would have stood up high, where cattle would have been bedded down in every swale. Now the land was arid, dry, and the yellow bunch-grass, dotted with clumps of brush, spread out hard and brittle. Bunches of gaunt cattle worked their way slowly to the north and west, heading for Deep Hole Springs, the only place in Huisache Valley where there was unlimited water.

Sam Marvin on the ranch-house porch shouted a greeting as Tom rode up. "I was hopin' you'd get back early. I want you to ride down to the springs with me, Tom. We'll make Pot-belly shake up some grub at once."

After an argument that reached the dignity of a street riot, Pot-belly produced a meal, and Marvin and Tom headed for Deep Hole Springs.

Mile after mile Tom saw the same scenes he had seen along the trail—grass-land that in ordinary times would have supported thousands of cattle, almost denuded of livestock.

"Where are they?" asked Tom. "What's happened to the cattle?"

"Those that could afford to, ship them to California," said Marvin. "Others are trying to hold on, but if those damn sheep ever get into the valley it's all up with all of us. Look there."

HE POINTED to the low-lying swamp where hundreds of acres were covered by the overflow of Deep Hole Springs. In the shallow water watercress spread out like a green blanket; water hyacinth spread a pink glow over submerged acres and great cottonwoods and aspens stood three feet deep in the water. That great swamp had originally been fenced with heavy wire, and Sam Marvin, as though by instinct, led Tom straight to a gap in the wire.

"Here's somebody's handiwork,' he said. "We ran this fence around the springs themselves. Cattle can use the overflow. My idea is, if this drought keeps up, we'll run deep irrigating ditches down the valley. Who's that comin'?"

Marvin pointed to two horsemen riding slowly up the slope from the south.

"It's Fortain," he said as the men drew closer. "He's one of Sheriff Gatewood's deputies. I wonder what brings him up here.".

Fortain rode up. He and Gaines, his companion, were known to Marvin, and vaguely remembered by Tom.

"I got a paper for you, Marvin." And Fortain stretched out a folded document that Marvin made no attempt to take.

"What is it?" he asked.

"Court order," said Fortain. "Temporary injunction handed down by the court on the application of Cargan, forbidding you to wire the springs against public use."

Marvin waved a hand at Tom. "An injunction made out to me," he said.

"To you by name," said Fortain, "as manager of the Lazy Y ranch."

"That's good," said Marvin grimly. "It just happens I'm the manager, but Tom Frayne here's the boss. He's the owner. You've served your injunction. I'm not goin' to put up any wire fences. Now, if you head back for Palo Verde, you can tell Devers and Cargan that I said they can go to hell."

Fortain and Gaines rode off and Tom turned to Marvin. "That Brenam gang is due to arrive Saturday night," he said. "Somethin' is goin' to break pretty soon. I was thinkin' of seein' Sheriff Gatewood about it.

"Gatewood is a Devers man," said Marvin.

"That's so. There's only one thing left, then—we'll send around the War Arrow."

Marvin looked at him and chuckled.

"Remember that, do you?" he asked. "Remember how I told you that when the Indians wanted a meeting of the subdivisions of their tribe, how when they were debating war questions they would send a War Arrow, and for a peace talk a Split Arrow? I used to tell you that when you were a kid."

"Yeah," said Tom. "But on this occasion we won't send the Split Arrow, we'll send the War Arrow. Get Marston and Cooper and all the big ranchmen of the valley to meet here at the Lazy Y on Friday night. Send a couple of men off with notes at once.

"I suppose you know what you're goin' to do," said Marvin grimly.

His unwinking stare took in Tom from spur strap to hat band, and he liked what he saw.

"Can do," he said. "I think old Tom's come back again.. Let's go back to the ranch-house."

CHAPTER VI

"COME into the office. We've got to hold a war council."

Sam Marvin's voice sounded tired, as though he had reached the limit of physical exhaustion, and Tom, glancing at him, realized with a sharp pang that he was showing his years. Sam moved heavily, and his face was lined as Tom had never seen it before, but his blue-gray eyes were as steady as the eyes of a younger man. He closed the door, shed his coat and sat down heavily in a straight-backed chair.

"An easy-chair makes easy thinkin'," he growled, when Tom thrust a more comfortable chair at him. "We've got no time to take things easy, son. That can come later. Did you notice the look on Fortain's face when he handed me that paper?" He opened the court paper that Fortain had given him, scrutinized it carefully and passed it to Tom.

"It seems to be all in right order," he said casually, and the very casualness of his remark made Marvin glance at him. "You see, Sam, I think it might be a pretty good plan right now for you to take a little trip. It'll sure do you good. How long has it been since you had a vacation?"

"Who? Me?" Sam stared at him goggle-eyed. "I ain't had a vacation since the year we took over that Lascelles tract; the time we put in two hundred acres of alfalfa. Why?"

"That injunction," said Tom, "is made out in your name. You're the man who's told not to wire Deep Hole Springs. They don't mention me because they didn't know about my havin' come back when they took the matter up with the courts. It enjoins you as manager of the Lazy Y ranch from closin' the springs against the public. That means—sheep. Nothin' else. That means that sheep are to be allowed rights of ingress an' egress to the water. Our water. See? It just happens that I'm the real owner. That injunction ought to have been made out to me. It's their own fool fault. You take a vacation and I'll see to it that Deep Hole Springs are wired up so damned tight than a mole can't get water there."

"Yeah. And get in trouble with the courts and John Devers ownin' the courts,' quoth Marvin. "All right," he said hastily. "I see what you're drivin' at. I'll do it. I'll ride over an' see Fred Lawson. Him an' me can spend a day or so cussin' out that damned skunk Devers an' Sheep-dip Cargan too. Your sayin' that their makin' out that paper to me was their own fault reminds me of a story—"

Even the seriousness of their talk could not keep Tom from grinning. Almost anything would remind Sam Marvin of a story and as a rule his stories were pithy and had a point. He disposed himself to listen.

"It happened just after we came here on the Lazy Y. Your father got a Government contract to supply beef cattle on the hoof to the Lone Pine Indian Agency. You probably know how they handle those contracts. There were about two thousand Indians on the reservation and they drew Government rations once a month. The contract was soft. We had those contracts for seven years runnin' an' it sure did pull us out o' the mire when cows were sellin' at six-fifty. We'd drive the herd up there an' turn it over; then the Indians were always allowed to kill the cattle with their rifles. It sort of made some of 'em remember the old days of the buffalo herds. We got the herd up there all right, two thousand of 'em, and they had two troops of cavalry there just to supervise the distribution. Old Major Tinen was in charge and Captain Wills was there commandin' one of the troops. Wills had a horse that sure did look like a million dollars but wasn't worth a damn for anything but to look at. He was stone blind in his near eye. Wills was a darned good officer and what he didn't know about horses wasn't worth knowin'. Major Tinen was different. He'd been a Paymaster, they told me, and had transferred to the cavalry, and he got the idee that his commission as a Major of Cavalry made him a pastmaster of horseflesh. As a matter of fact, he didn't know a horse from a cow—if you cut the cow's horns off. Those two weren't on very good terms, either. You've been in the Army and know how it is. They call it bein' on 'official terms.'

"Well, the day old Tinen got there he seen that show horse of Wills' bein' led to water an' he stopped to admire him. Then he met Captain Wills in front of the Agency office.

" 'Is that fine horse for sale, Captain?' he asked, 'And if so how much do you ask for him?'

" 'I'll sell anything I've got but my wife an' my toothbrush,' says Captain Wills. 'And his flat price is one hundred dollars.'

"Two or three of us couldn't believe our eyes. We knew the horse—he was good for nothin' but for parade, when he sure did look good.

" 'That seems reasonable for such an animal,' says Major Tinen. 'Is he sound in wind an' limb?'

" 'I assure you, Major, that he hasn't got a fault,' says Wills.

" 'That bein' the case, I will offer you your price—one hundred dollars right now. Come into the office and I'll get the cash for you.'

"THEY WENT INTO the Agency office and old Tinen got a check cashed an' paid Wills for the horse. Then he called to a sergeant who was passin':

" 'I have just purchased a new mount, Sergeant'—that's way he always talked—'take him to the stables and see that he is adequately provided for till I have time to have a box stall built for him.'

" 'Yes, sir,' says the sergeant. 'May I ask the Major if he has bought that horse?' an' he goggled at the horse.

" 'I have just purchased him, Sergeant,' says the Major. 'And I do not care for any volunteered criticisms of my judgment. I know a good horse when I see one. I am a major of cavalry.'

" 'Yes, sir. I know that. I wasn't makin' no criticism of the Major, sir, but you'd ought to know what all the men know—that 'ere horse is blind. He can't see a stone wall on his near side.'

" 'Nonsense, Sergeant. This amounts to a criticism of your superior officer, for which I shall certainly prefer charges against you at the proper time. Blind? Nonsense.'

" 'I beg the Major's pardon," said the sergeant, 'but it ain't no nonsense. The whole squadron knows that 'ere horse. The Captain got him fer ten dollars an' a sack o' sugar. That 'ere horse is as blind as a bat in his near eye. Look, sir.'

"An' the sergeant stuck his finger square in the horse's near eye an' he never even blinked.

"Major Tinen looked like he was about to have a stroke or somethin'. He stood there puffin' an' pantin' while a bunch o'

cattlemen handed him a few remarks about what a good judge of a horse a cavalryman had to be. Just about that time Captain Wills came out o' the Agency office rustlin' the bills in his hand that Tinen had paid him for the horse, an' the Major tackled him then an' there.

"'Captain,' he said sharp-like, 'by virtue of the questionable knowledge of horseflesh that you have gained, presumably on a racetrack or some such place, you have taken undue advantage of me in a sale of this horse. I demand that the sale be called off and that you return to me the money I gave you. That money, sir, was obtained by you under false pretences.'

"'No such thing,' says Captain Wills, laughin' fit to die. 'In any horse deal I leave it to anyone if the rule ain't caveat emptor' —I learned afterwards that that means 'Let the buyer beware.' He sure had to when he was buyin' offen Wills. 'I told you the stark truth about the horse. It isn't my fault if you can't understand the English language.'

"'Sir,' says the Major, 'you told me that that horse hasn't got a fault. Did you or did you not tell me that?'

"'Certainly I did,' says Wills. 'I told you he didn't have a fault, and he hasn't.'

"'He is stone blind in his left eye——'

"'A horseman would call it the "near eye," says Wills, laughin'. 'He hasn't got a fault. I maintain that I told you the precise truth. My God, Major! You can't blame the horse for an act of God. Blindness isn't a fault. It's a misfortune.'

"They fought for more'n two hours over that," said Marvin. "But finally Wills gave him back the cash—that's what I was gettin' at, Tom. That injunction that the Devers-Cargan gang got out ain't so much their fault as it is their misfortune. We know now exactly what they mean to try to do and we can act accordingly. We know now that Devers and Cargan plan to get Deep Hole Springs and after that to get the Lazy Y ranch. The ranch ain't worth keepin' if we lose the water. Well—I'll be gettin' my pony and hittin' down the valley to see Lawson. What'll you do while I'm gone?"

"Take a couple of our men from the bunkhouse and wire Deep Hole Springs so anybody tryin' to get on the water'll have trouble. When I've done that I want to ride into town. It's a sure thing, Sam, that Ben Wemys will be the man called on to make a survey of the lines of the Lazy Y ranch if the court wants a new map. And they're certain to call for that. I see all kinds of complications if that man Devers has got the voters of this valley in his grip. I'll see Mr. Wemys."

"Huh. That'll do you just no good in the world," growled Sam. "He's mostly drunk by sun-up. Then he drinks from sun-up till sun-down to keep him in shape for the next sunrise. Once I heard him say he was raised on a bottle, an' I bet he was, too. Ben Wemys hasn't drawn a dead cold sober breath for years. I bet it's that red-headed girl of his you want to see. You were always fond of Frances."

Tom flushed a little. Even in the press of important events that threatened the loss of his home ranch he could not deny that his thoughts had turned to Frances Wemys. She had always been the prettiest girl in all Huisache Valley and to him the most delightful.

"Is she engaged to be married yet?" He heard himself asking then waiting with a curious eagerness for the answer.

"No, son, she ain't engaged yet but that skunk Devers aims to show her her mistake about that—if he can. The whole valley knows that John Devers wants Fran Wemys for his second wife. The whole valley knows too that Fran's got as much use for him as a church social's got for a skunk at a revival meetin'—Well! I'll be headin' over to Lawson's. Take care of yourself, Tom. You're dead right in one thing—one of us, you or I, has got to be foot-loose in case that gang starts some devilment. It'll never do to have us both jailed for contempt o' court about that injunction. I know pretty well what Sheep-dip Cargan'll do if he goes on the prod. If anything should happen to you"—and old Sam Marvin swore a certain very solemn oath—"I'll see to it that no Cargan is left to raise hell here. From now on—my holster's tide down."

A tingle of warm blood at Tom's heart thrilled him as he watched his father's old friend and partner stamp down the steps and head for the corral. A little later he saw Sam's pony turn into the drive that was edged with stunted cedars and trot quickly towards the main trail that led to Lawson's, twenty miles away.

The moment that pony was swallowed up in the cloud of red dust that sucked after him, Tom headed for the bunk-house, where he found Lee and Russell, two of the riders for the Lazy Y, deep in the mysteries

of Old Sledge. They glanced up as he banged the door open.

"You two get your guns," he said. "You'll probably not need 'em, but I want you to come with me and help wire Deep Hole Springs. Get the ponies while I get an apparejo and pack it with stuff what we'll need."

RUSSELL and Lee glanced at each other. It had been open betting in the bunk-house that drastic action would follow Tom's return and here it was. While they saddled three ponies, Tom caught up a pack-mule, got an apparejo and packed it with supplies from the big store-room where Marvin kept ranch supplies.

"All right! Let's go," he said, when the two men joined him.

They headed north-eastward, their ponies trotting smartly along the trail edge, the pack-mule following them with the pack jangling, and for a while no one spoke. Then Lee could stand it no longer.

"Say, Tom, we've twice wired the water paths into the springs, but always the wire's been cut. What're you aimin' to do? Wire it again? They just cut the wire when they want water for their damned sheep. Pity you don't poison the grass."

"I could do that, of course. We could scatter a lot of stuff that'll poison sheep but that the cattle will not touch, but a white man can't do that."

He did not explain that every fibre of his being rejected the idea of poison though it would be a very sure means of keeping sheep off the water. Even as a boy he hated to poison the raiding coyotes that looted the ranch chicken-yard.

"We'll just have to do the best we can," he said.

And that "best" was very good; certainly it would be effective. They halted their ponies above the swampy tract where the Deep Hole Springs gushed suddenly into full daylight and they traced the lines of heavy posts to which previous wires had been fastened with light staples. The wire had been cut in several places and the snarled wire lay in rusted loops among the brush. This time they laid line after line of heavy barbed wire fastening them so solidly that to free the wires the heavy posts must be cut. Then they laced and interlaced the posts and wires with loose wires till they made a perfect labyrinth of wires that would seize and hold any animal that tried to enter the pools.

"I don't mind it if they water at the outlyin' irrigatin' ditches," said Tom, as he wiped his sweating face. "But I'll not have sheep defilin' the main pools. That means our cattle won't drink. If they send a bunch o' sheep in to the pools they'll sure be in charge of a Mexican sheep-herder," he growled over their completed work. "They'll not have any tools heavier than a wire-cutter. We'll send a couple of men from the ranch to watch this pool and report the arrival of any sheep. Lee," he said suddenly. "You'd better take first crack at it. You stay here on look-out till night. I'll send a man out to relieve you at sunset, though it isn't likely they'll try to water after dark. Wait a bit." His questing gaze settled on the nearby hillside, a rounded hilltop that was crested with heavy undergrowth. It was an ideal place for a lookout. He hastily detached from his bridle headstall a silver concho as big as a small saucer and handed it to Lee.

"If you see any sign of a bunch of sheep driftin' in to water, use this concho like a mirror. You can use it as long as you've got sunlight. Heliograph, see?" Lee nodded. He had often used just such an improvised mirror. "We can catch the flash from the porch of the ranch-house. One long flash from that hilltop'll tell us that sheep are bein' headed in to the springs. See?"

"Sure." Lee, grinning, pouched the concho and walked up the slope with his pony treading on his spurs, eagerly snatching at the lush grass and nudging him from time to time, and when Tom and Russell crowned the ridge on their homeward way Lee was securely hidden in the brush above the water.

An irate Pot-belly met them at the back gate of the ranch-house. His face was flushed and his eyes were twinkling menacingly.

"Doggone you, Tom Frayne," he snapped. "When you're aimin' to get visitors, why in hell don't you tell a feller in advance? Just after you went out they come traipsin' in, an' me up to my hocks cookin'. An' on top o' that they want things to eat an' drink that I never heard of—"

"Who're you talkin' about?" demanded the mystified Tom. "What visitors are you talkin' about?"

"Lawyer Judson and that red-headed Fran Wemys. You know damn well who I

mean. Anyhow you know her. You an' her was—"

But Tom thrust the irate cook aside with a single shove.

"Fran? Fran? Fran here? Don't keep me standin' here, you old fool." And he thrust the waddling old range-cook aside and was across the yard in two leaps.

He found Judson standing before a huge wall-map of the county that he was covertly studying and at the far side of the room, the noonday light forming a radiant nimbus about the loveliest face that he had ever seen, Tom saw—Frances Wemys.

That one brief evening that he had spent with her had merely whetted his appetite. Like Oliver Twist he desired "more." He wondered what piece of luck could have brought Frances to the Lazy Y and his eyes asked the question while his hands held hers.

"When you're quite done with my hands, I'd like to use one of them," she said whimsically. That was the old Frances speaking; the Frances whom he remembered so well. That last time he had seen her had been all too brief. He dropped her hands as though they burned him and his face flushed as he turned to Judson, who was striving for speech.

"I came out here—" began Judson, but Tom cut him short.

"You don't need any excuse when you've brought Fran"—Tom almost crowed in his delight. "You know, my dear—" He turned to Frances and moved a chair for her. "The mere sight of you is like water to a thirsty land. I was coming in again tonight especially to see you. I want to see your father too, when that damned crook Devers is not there."

"Don't hold against father his manner of last time he saw you," said Frances gravely. "I—I'll explain some day, Tom, but not now. This is just a friendly visit. Mr. Judson told me he was riding out to see you, so I—I came too, Tom, and I'm glad I did."

"So am I. You see, dear, I'm in for a war. That man Devers and his partner Sheep-dip Cargan are tryin' to scheme to do me out of the Lazy Y with its water at Deep Hole Springs. Your father happens to know more about ranch property lines in Huisache County than any man alive. That's what I want to see him about—but first and last and all the time I want—to see you. What ails you, Pete?" he demanded, at a snort from Judson.

"Me? Nothin'. I came out here, Tom, to tell you that Cargan's been shootin' off his mouth about what he means to do to you on sight. That's to pay you for upsettin' him in Devers' room. Devers owes you a debt, too, for what happened at Fran's house. I came out here to advise you to go heeled if you come to town and to tell you that if you do have a run-in with Devers and Cargan, you can look for a lot of sympathy but little else. Wait till you get a showdown from the courts before you take action on your own account."

"I'll not side-step an inch for Cargan and Devers and their gang," said Tom grimly. "If they start anything they'd better be sure they can finish it. I'm goin' in to town tomorrow night to see"—he grinned again—"to see Frances here and to talk with her father."

Frances started to speak, but Judson interrupted her.

"You seem to have forgotten the rites of hospitality while you've been away. Did you ever hear of offerin' a friend a drink?"

Recalled to his duties as a host Tom started for the kitchen. "Just a minute and I'll throw a julep together," he called over his shoulder and the next moment they heard him at work in the kitchen, where, over the clashing of his pans, Pot-belly's querulous voice came to them.

"Name o' goodness, Tom, I don't see why people don't show some sense. That 'ere Pete Judson needn't try to make a fool outen me just 'cause he's a alley lawyer an' I'm a cook. Just before you an' Lee got back, Judson an' Fran come in an' asked fer you. Then—what you reckon he said?"

"How in hell do I know what he said?" demanded Tom over a small piece of ice and some mint brought from the irrigating ditch behind the kitchen. "All I know is that whatever Fran Wemys wants on this ranch, she gets—the same goes for Pete Judson. Don't forget that."

"Huh. A fat chance you give me to fergit it. He tied their ponies to the hitch-rack an' he come burstin' into the house hollerin' fer a drink.

" 'Hi, Pot-belly,' he says, 'I want some whiskey for myself an' some ras'berry vinegar for Miss Fran'—to me, mind you, what's called her 'Fran' ever since the day she was big enough to look over the back of a

horned toat. Askin' fer ras'berry vinegar, too! I thought he'd lost his mind."

"What'd you give him?" demanded Tom.

"I didn't have nothin' to give him. You'd locked up the whiskey," said Pot-belly in an injured tone. "An' in the name o' God," he demanded passionately, "who ever heerd tell of ras'berry vinegar?"

"It's made of raspberries, sugar and vinegar," said Tom, suddenly remembering the luscious drinks that his mother used to give him.

"I looked all over the house," said Pot-belly, "but all I could find was that big jar on the shelf in your closet. I gave him that."

"Good God! You don't mean you gave him a drink out of that jar? Not the big closed jar on the top shelf." Tom had sudden visions of the untimely death of his attorney. If Judson had drunk from that jar—

IT JUST happened that for years old Sam Marvin and Tom Frayne Senior had been obsessed with a desire to keep on view certain specimens of the various poisonous and reputedly poisonous fauna found in the valley and, from time to time, the range riders at the bunk-house would bring in any peculiar specimen found on the distant ranges. Tom seemed to remember that that lethal jar, besides containing about a gallon of crude alcohol, contained specimens about as follows: one vine-garone, reputedly rankly poisonous; two small "side-winder" rattle-snakes; one baby copperhead; two water moccasins; a tarantula spider anc a small gila monster. They had been in that jar for years.

"Great Heavens," he shouted. "You didn't give him the stuff of those things to drink, did you? Did you or did you not?"

"Yeah, I did not," quoth Pot-belly grimly. "I handed it to him, but he took one look an' turned it down. It ain't so bad, though. I know, 'cause I drank some of it last Christmas by mistake. I came back from Palo Verde with an awful thirst an' I looked fer the lemon extract, but the bunk-house'd drunk up the gallon jug so I reached up in the closet for the jug where Sam keeps his gin. He hides it under some old clo'es there. I got a jar—I ain't sayin' which—an' I teken a big swaller. It did taste sort o' queer fer a bit. Then I seen what it was, but it was all right. I never told Sam—what's that?" he demanded suddenly. "Somebody over on the ridge above Deep Hole Springs has got a mirror an' he's a-throwin' the sun in my eyes."

Tom leaped for the window that gave a distant view of the hilltop above the springs. That was where he had placed Lee to give timely warning if sheep should come on the water. A long blinding flash struck him full in the eyes. He almost ran into the office with the newly concocted drinks and handed them to Judson and Frances.

"You all stay here," he said quickly. "I've got to gobble and git. I left Lee at the springs with a mirror to throw a flash here if he sees any sheep goin' for water. He's just signalled me. I'm goin' down there at once."

Judson's chair crashed to a fall and Frances leaped at Tom with gleaming eyes.

"I'm going with you, Tom," she said quickly. "You can't stop me, Tom. You stay here, Peter. You're Tom's legal advisor and you mustn't get mixed up in what he does till after it's been done. But I'm going."

And almost before Tom had caught up his pony and patted his six-gun into place, she was in saddle and waiting for him. The next moment, heedless of shouted advice from Judson and the really angry Pot-belly, they were off across the sea of yellow grassland that spread between them and the distant springs.

CHAPTER VII

TOM FRAYNE'S cavalry service had taught him, in cavalry parlance, "to think at a gallop," but even his thoughts at a gallop seemed confused today. The gait was too rapid. His brain seemed awhirl as he whirled his pony out of the ranch compound and, with Fran's pony nosing his saddle-girth, edged into the broad cattle-tramped trail that led from the springs. Things fought in his brain for precedence; the Lazy Y ranch; the Deep Hole Springs, Devers, Cargan and his two pestilential sons—and—Frances—and suddenly as his eyes caught hers; as his gaze settled on her lithe figure swaying to the stride of her horse; as he sensed her slightly accentuated breathing that excitement and rapid gait caused—he knew that more than any of the others was—thought of Frances. In the few hours since his return she had sprung into full life in his thoughts. He knew her of old. He suddenly remembered

how his father had admired her. He drew his pony to a more constrained gallop and let her racing pony nose up to his hand.

He started to speak, but something seemed to choke him. Then he glanced at Fran. Her gray eyes, alight with little hazel sparks, were bright with the excitement of the racing speed as the horses took the full stride and raced down the grassy slope to the dull thunder of the muffled hoof-beats and the light click-click of the shifting bits.

"Oh—" Fran tried to pull up her frantic horse. "That was glorious! I've never had my pony go better. I think he knows—"

"Yes. They do know sometimes—and I've only just found out—"

Tom's voice seemed to come from far away, from some place outside himself. Fran gave one searching glance at him; then her eyes dropped to her horse's ears and a faint blush ran from brow to chin and back. The next moment her spurred heels caught her pony's flanks and he was off at a pace that Tom's heavier horse could not for the moment equal. He let her go—knowing that the pace could not hold, and sure enough at the top of a grassy ridge he overtook them, the pony dancing on all four feet, Fran sitting him like a centaur, but with compressed lips as she stared down into the valley below them.

"Look there, Tom, and tell me what that means?"

His glance followed her pointing finger to where on the flat below them a cow stood fighting off a calf that was striving lustily for its nutriment. The calf's head butted angrily at the cow's flanks and the cow herself fought off all attempts of the calf to suckle.

"Huh. It means only one thing—it's not her calf." But Tom sat studying the problem before him.

"Sam Marvin warned me," he said, "that the Lazy Y stuff is bein' rustled. He hinted about as broadly as he could that Devers or Cargan or both would be able to tell about it—if they would. Look at that calf's nose," he said suddenly.

Frances looked. The calf's nose was crusted with a black mass.

"Wait for me here. Don't move. I don't want cow or calf alarmed."

He deftly unslung his lariat from its thong, tested loop and hondo and, setting spurs to his pony, started down the slope.

The cow, wise from past round-ups, flung up her tail and started at a gallop into the brush, and Tom's pony, wise from many such experiences, shot deftly around stunted bushes and dodged gopher hills whose crusted tops would give way and break a leg like snapping a pipe stem. For a hundred yards that cow evaded him, but finally a deft cast sent the loop about the off-hind foot. Instantly the pony settled back on the rope and the cow turned almost a complete somersault and lay with her hind leg pulled out almost straight. Tom leaped from his saddle and ran forward, "pigging strings" in hand, but there was no need to tie that cow. He could see what he sought. The brand! The cow was branded with the brand of the Lazy Y! He led his pony forward, cast the lariat from the cow to let her rise. She lunged to her feet and with a frantic bellow rushed into the scrub and Tom turned to Frances as she rode up.

"Seems clear enough now," he said. "That calf has had its tongue slit. Some one did that because the calf is too young to be branded. If it can't suck it'll leave its mother. When a man picks up an unbranded calf it's his—if he can get away with it. That calf's tongue hasn't been cut more than an hour or two. It was tryin' frantically to get to any cow it could for luncheon." He grinned a little. "Of course you know that a cow will suckle only its own calf—"

"How do you know all this?" demanded Frances.

"I learned most of it when I was a boy here on the Lazy Y. The rest I've got by instinct—ever since I came back and found your friend Devers is interested in cattle and sheep. What I don't quite sabe, though, Honey, is this—Why does he think so highly of sheep? Cattlemen hate 'em."

FRANCES disregarded the "Honey," though her rising color showed that she had heard it.

"Listen to me, Tom," she said, and her voice was very cool and firm. "I doubt if even the information that Sam Marvin could give you can set you straight as to just what you're against in fighting Devers. He is a dangerous man to cross and, from what I hear, you managed to cross him at your very first meeting. Certainly you added to his hate the other night. He will never forgive you for what happened at our house."

"Huh. I don't want him to forgive me. I know pretty much where I stand. He

and Cargan are trying to force me to sell the Lazy Y to them. Do you know, Fran, that my father was murdered? It was currently reported that he was dragged to death by his horse." Tom almost snorted at that. "Can you conceive of Tom Frayne being thrown from a horse and dragged? I can't." And Frances, who had known old Tom Frayne well and admired him extravagantly, could not imagine it. "Let me tell you what I know—what old Sam told me."

In nervous English, in which every word seemed pregnant with fire, he told her of the bonds, of his father's death and of the early feud between the Lazy Y and the Cargan tribe. Frances listened avidly but could offer no suggestion beyond:

"Well, Tom, for Heaven's sake be careful. I—I—You know, Tom, I was a bit overwhelmed at the way my father met you the other night. It hurt me. You and he used to be such friends—"

"Aye, and will be again," said Tom stoutly. "Thinking what I do of the daughter ought to make the father feel warmly towards me—what in Heaven's name is that?" he asked suddenly, shading his eyes with a hand and staring off to the west, where a stain of black smoke rose against the blue bowl of the sky. "Looks like a fire over there. Now I happen to know that if anyone builds a fire on this mesa he's got to bring his own fuel. Who wants a fire out here enough to pack his firewood? Let's take a look-see. Are you game?"

Her answer was to rowel her pony and to drive him abreast of Tom's horse. They took the slope with a rush and started across the yellow mesa heading for that distant smoke.

"I started out to get to Lee," said Tom. "This takes me off the track a bit. Lee'll have to wait. This may be more important than a cut wire. Anyhow, Lee can take care of himself. Easy, Fran. Take this slope easily. Don't show your horse's head above the skyline."

Obediently she reined her pony back down the slope, and Tom, swinging out of a saddle, gripped the nostrils of both ponies. They were about to whinny and struggle fiercely for a moment.

"They'd not try to whinny unless they smelled horses on the other side of the ridge," he muttered. "Easy, now. Hold both ponies, Fran, till I see."

He dropped almost prone and worked his way through the long grass to the top of the ridge, and Fran, watching him, saw him part the grass-stems and stare down into the distant valley. For a full five minutes he watched; then he backed down the slope and came to where she waited with the horses.

"That was one of the Cargans," he said curtly. "He's got a Mexican with him. They had a fire started in a gully and were branding a cow. Just as I got there they loosed the cow. I'd like to get a look at that cow after they leave—watch! They're puttin' their fire out."

Inwardly he was swearing. If Fran had not been with him he would have liked nothing better than to ride down and to out-face that pair and find out exactly what they were doing on the ranges of the Lazy Y. But Frances with him he dared not. It would be altogether too risky. Too, though he had dimly recognized one of the men as one of the two Cargan brothers, he was not sure which it was and in this case Fran could not help him. She had not seen the men at all.

He shook his head in answer to her repeated inquiries.

"I can't do anything in this case," he said. "Of course I know what they're after. Let's just wait till the men get away over the Western ridge; then we'll ride down and I'll get a glance at that cow. I want to see the brand."

FOR ten minutes they sat and waited till the rising dust cloud over the distant ridge told that the men had left; then they rode forward and Tom, riding loosely through the brush, caught sight of the newly branded cow. With Frances at his elbow he studied that cow from every angle and finally nodded comprehensively.

"See that?" He pointed to an old-looking brand on the cow's left hip.

"Yes. Of course. But it's not a new brand. It's quite old."

"Huh. That's trick's as old as beef-steaks. They heat a runnin' iron and brand through a piece of cloth. That makes the brand just show on the hair. They call it hair-brandin'. If we get back to where their fire was we'll probably find a piece of old sacking that they used. What else do you see? Examine the brand."

Fran watched the cow and eyed the burned flank.

"I see what looks like a straight line that

terminates at the end a letter X," she said.

"Yes. What looks like a bar with the letter X at the right side was originally a lyin' Y. You know what that shows? We brand simply a lyin' Y. That is a Y letter prone. That's the "Lazy" Y. Then along comes some enterprising bird like those we just saw. They happen to see a fat cow that they like. They say, 'All right, let's change the brand on that cow.' So they rope the cow and throw her. Then they heat what we call a 'runnin' iron' in a fire. A running iron is just a straight bar of iron with a point to it. It's against the law to carry one because they are used with only one purpose—to change brands. Then the birds I'm talking about simply wet a piece of blanket or any little piece of cloth and lay it over the old brand and apply the hot iron so that the Lazy Y is changed into a Bar X brand. It's only burned on the hair. What I'll be interested in when I get back home is to find on the County books who owns the Bar X brand? See?"

Frances "saw," but she feared what she saw.

"I can't prove it," said Tom. "I'd never drag you into court to support what I say. And no man can be convicted on the evidence of only one person. That lets this case out of court. Never mind! I'll just bide my time. It'll come. And when it does come," he reflected, "God help Cargan and Devers. Come on," he said quickly. "Let's get over to where I put Lee to watch the Springs."

At a more leisurely pace, for the ponies were winded, they headed east across the grassy sea and when they reached the last swale that lay behind the ridge above Deep Hole Springs Tom drew rein. It was on that distant crest that he had left Lee, from which Lee had sent that warning flash from the silver concho that Tom had given him. He scanned that ridge but saw no sign of life.

"He must be there," he muttered. "He can't have signalled the ranch and then left the place."

But he saw no sign of Lee. A shrill whinny from his horse, who shook himself till he nearly unseated his rider, gave him the first inkling that all was not right. The pony whimpered again and stared fixedly at a copse of low brush a few yards along the slope from where he had seen Lee place himself. With a quick warning to Frances, Tom forced his horse along the slope and almost lifted him with his spurs. He had to fight him to make him enter that brush. Now there are only two things that a horse instinctively fears. One of them is human blood. When the pony would go no farther, Tom swung out of saddle, dropped his reins and with his gun loose in its holster, brushed aside the thick branches and saw Lee lying flat on his back. Blood was crusted in a mass at the back of his head and his horse running about his picket-pin fastened some distance from his master.

Frances, sitting her pony at the edge of the brush, was only aware of Tom swearing bitterly as he unhooked his canteen from his saddle-cantle, then she saw him plunge into the brush, canteen in hand. Instantly she was out of saddle and almost in a single motion was at his side.

"What . . . what is it, Tom? Is he hurt badly?"

"Can't tell yet. Hold this" . . . and he thrust out to her Lee's gun that, uphol-stered, lay by the side of the unconscious man. Tom bent over him and raised the wounded head to his knee. At his touch a faint groan made him hope, for his Army service had taught him that men do not groan over serious wounds. . .as a rule. His questing fingers sought the back of Lee's head and his gray eyes concentrated on Fran's face as he felt.

"Thank God the bone's not smashed. I'm sure of that. But. . .what's that you've got?"

Frances, who had been nervously trying to help, had picked up from the trodden grass a piece of broken lariat. She handed it to Tom, who scanned it as it lay in her hands.

"Wait till I get Lee fixed. He seems to be comin' to, I think."

There was no question about it. Lee was breathing in great gasps. He raised a hand to his neck and Tom's eyes followed the hand. The next moment he uttered a sharp oath.

"Look there!" He pointed to a red line about Lee's neck. The skin was not wholly abraided, but a red ring circled the neck. "Know what that means, Fran? Makin' that red ring with that piece of lariat you found. . .I can figure out. . .someone roped Lee as he lay there in hiding."

"But—but this piece of lariat is horse-hair. I thought all lariats were either Manila rope or rawhide."

"No. Tie-ropes are woven of horse-hair. That's because it's so much lighter and don't

get stiff. Also, it doesn't chafe. That red mark on Lee's neck was put there by a heavy pull. Someone roped him with a horse-hair tie-rope and it broke. Look there! See the end. There's no hondo on it to make the loop. Whoever did it just tied a loop in the tie-rope and roped Lee. What is it, old man?" he asked, for Lee was trying to speak. The answer came slowly, through set teeth.

"It was my own fault, Tom. I was lyin' in the grass watchin' the pool. I'd picketed my horse behind me. I heard tramplin' in the grass but I paid no attention to it. I thought it was Pinto maybe got loose but I knew with draggin' reins he'd not run away, so I laid there. I was sort o' propped up on my hands studyin' the flat. All of a sudden I heard somebody laugh. Then a rope dropped over my head. I felt like I was dyin'. By God," he said viciously as his breath began to come more normally, "I'll get that man!"

"You don't know who he is," said Fran impulsively. Tom held up the horse-hair rope.

"No," he said quickly. "We don't know who he is but if we ever find a man with a broken tie-rope of horse-hair, we'll come near bein' right."

"Look over the ridge," said Lee. "It was all of two hours ago that I sent that flash. I saw an edge of dust risin' out on the flat so I sent the flash. There may be sheep on the water."

TOM left Fran with Lee and hurried to the top of the ridge. Fran, watching, saw him peer cautiously through the low brush; then she saw him rise to his full height. The next moment he was back with them. His mouth was drawn to a straight line and his eyes were little points of light that danced as though afire.

"They've got a bunch of about five hundred sheep in the Springs. They've cut the wire," he said. "That was after they roped you, Lee. Can you ride?"

"Of course. What you want?"

"Get back to the Lazy Y and send three men out to me at once. Hurry."

Lee almost leaped into saddle, jerked loose the picket-pin and was off homeward at a gallop, and Tom, swinging into saddle, headed up the hill. For the moment, he had forgotten Fran till her voice recalled him, claiming his attention.

"I'm coming with you. Don't think I'm not." And she was spurring her horse up the hill behind him.

At the crest of that hill Tom paused; then Fran saw his hand go to his holster.

"Look," he said. His voice was a shout and that shout ringing across the tops of the thick brush dropped into the valley in a wave of sound. Then Frances Wemys' eyes followed Tom's pointing hand.

The lanes of wire that Tom and his man had so patiently laid had been cut in a half-dozen places and through the gaps sheep had been driven till the lowlands about the deep holes from which the Springs took their name were filled with them. The sharp acrid smell rose in almost a cloud and the noise of their bleating made a continuous noise. Behind them, Fran saw two Mexican sheep-herders, serape-shrouded, squatting under a bush, and sitting on a horse just above the water a white man lolled negligently in his saddle.

"I don't know who he is." Tom's voice had a rasp that Fran had never heard before. "But I'll take it out of his hide. He's got some explainin' to do."

He gathered his pony with heel and rein and spurred down the slope heading for the rider.

The noise of his horse gave the alarm. At the thunder of the drumming hoofs the man looked up. Instantly he leaped from sleepy insouciance into speedy action.

"That's Oscar Cargan." Fran's voice shrilled it into Tom's ears. "Look out for him, Tom. Don't let him get to his gun."

But Oscar Cargan had no intention of getting to his gun. One quick glance told him that the oncoming pony was much lighter than his own big American horse. He gathered his big bay and, heading him straight at Tom's lighter steed, flung him along the slope in the deadly golpe de caballo that the Spaniards brought to the southwest; that dangerous collision of horses that can break a horse's back or a man's neck.

There was no evading that rush. Tom made no attempt to evade it. He had one chance—to make up in speed what his horse lacked in weight. He gathered his pony in mid-air, his spurs bit deep and his light hand brought his horse's head up, chin slightly in; then, when he had him coiled like a steel spring between his thighs he suddenly released that spring and with a yell, the import of which that pony knew

well, he hurled him like a thunderbolt at the big bay.

Frances Wemys, sitting her horse above them, drew her breath hard. She sensed what was coming, but even premonition did not prepare her for what happened. One moment she saw the foaming-flecked bay plunging heavily along the slope; saw the lighter roan that Tom rode leap into full speed. Then, though she did not know it, the bay tried to change his head. The effort threw him off balance for just a second and in that second Tom struck him.

THE bay went down with a sounding crash that echoed from the water; that made the two Mexican herders rise and stare and cross themselves; then run towards the fallen horse. In a flash Tom was out of saddle and, gun in hand, stood above the prostrate rider of the bay. Fran could hear Tom's voice:

"Get up! Get up before I kill you!" The man scrambled to his feet. "Oh, it's you, Cargan." Tom recognized at a glance his enemy of years before. "At your old tricks, huh!" He snatched Cargan's gun and threw it into deep water. "Now. . . You brought your sheep on to our land to steal our water after you've been warned. You've cut our wire. I give you just two minutes, Cargan, to order those men of yours to get your sheep off the water and the land and to replace those wires that they've cut. I give you one minute to order 'em. If not. . ." Tom's rising pistol-hand completed the sentence. Cargan was not a coward but neither was he a fool. He knew when he had reached his limit. He flung an order to his men and they set to work frantically, chasing the reluctant sheep out of the water and restringing the cut wires. In twenty minutes the pools were clear and Tom turned to Cargan.

"Now you—"

He got no further. A startled exclamation from Fran drew his eyes. She was pointing to the hard-breathing bay horse that stood with four legs braced, panting and blowing, with a trickle of blood flowing from his nostrils. But Fran was not pointing at the horse. She was pointing to a horse-hair tie-rope hung on the saddle and one end of that tie-rope showed a clean break. Tom's quick glance took it in with all its implications.

"So. . ." The one word with its single sibilant hissed like the intake of a valve. "So you're the man who attacked my man on my own land, huh? All right! By God, you pay for that right now," and he leaped for Cargan. But even in that moment of closing with his foe he was aware of Frances's raised plea.

"Don't Tom. Don't hit him."

"I won't. But I'll take it out in shaking. Here goes."

His fingers bit deep into Cargan's throat, cutting off the wind. The man struggled for dear life under that choking grip. He was taller than Tom and twenty pounds heavier, but his advantage was lost in that deadly grip. First Cargan's hat flew off into the water; then his watch flew from his pocket like a stone from a sling. And still Tom shook. Finally he flung the exhausted Cargan from him like a bunch of blankets. He staggered back and sat down violently.

"You'll pay for this," he shrieked. "By God, you'll pay for this. You an' that—" He mentioned an unmentionable word and Tom again leaped at him. But Cargan evaded his rush and ran to his blown horse.

"Let him go. For Heaven's sake let him go," said Fran. "Don't you see that you have done enough? Let's get back to the ranch-house."

But for an hour they sat wordlessly on their horses on the hilltop watching those sheep being herded by the sullen Mexicans across the ridges under the angry eyes of Oscar Cargan. Finally, when the last sheep had gone, Tom turned to Fran and his eyes lit with a light that there was no mistaking. Seeing it, and knowing it for what it was, her heart gave a great leap.

"I'll race you to the house," she said. "I've got to get back to town as soon as I can."

CHAPTER XIII

FOR TWO days Huisache Valley was in a quiet ferment. Those notes, passing from hand to hand, roused the owners of the outlying ranches to their impending danger. They knew well what would happen if thousands of sheep ever crossed that western line of hills into the broad valley. They knew well that the contamination of their only water supply by those immense herds would put the capstone on the edifice of their run. Man after man, receiving the note, checked it, warned his manager to be ready for any call, saddled his horse, looked to his guns,

and headed straight for the Lazy Y. From time to time Tom or Marvin, roused by the clash of a newly-arrived horse, went out upon the porch.

"Howdy, Jim. Come in. Bottle's on the table yonder."

"Seen rain clouds over the Hand o' God Range last night."

"No good. Yellow dust to the southwest. Sandstorm makin' an' we'll catch the tail end of it."

"An' I been prayin' for rain like a Christian," wound up Cooper.

Pot-belly waddled in from the kitchen with cold water and glasses, set them down with a crash, and spoke.

"No use prayin' for rain till the wind changes," he said. "'Minds me of a thing that happened when I was a kid. We had had just such a drought as this and seven different churches was prayin' for rain. Seven of 'em prayin' at once must have deafened the Lord with their gabble. All I know is that their prayin' or somethin' else busted the drought. The preacher, Shaw, was a circuit rider. No, I didn't say circus rider," he said at a remark from Cooper. "I said circuit rider. Kind of a sky-pilot rodeo. He had a cabin up Dead Burro Canyon. Well, sir, that rain come up and she busted loose into a cloudburst at the head of Dead Burro Canyon. It rained and rained and rained for two days and two nights steady till the canyon was bank-full. Old man Shaw, lookin' out a window, seen logs teeterin' down the canyon or maybe a prospector's shack caught in the flood and a dead pig or so, the legs a-stickin' up like four legs of a chair, an' he looks up at the sky and he looks down at the canyon and finally he says: 'Oh Lord, for seven days the fools in this valley have been askin' you to upset the laws of nature just for them. I prayed for rain and I meant rain, but I didn't mean this. This is plumb ridiculous. Let up a little bit, will you?' And I'll be dogged if we didn't get another three years' drought."

It was late in the afternoon when the last man arrived and Tom, who had kept the bulk of them reasonably sober, gathered all eight men in the big dining-room with him and Marvin and took his place before the open fireplace, hat on the back of his head, thumbs hooked in his pistol belt, his spurred feet far apart. He looked quietly from man to man. For a moment no one spoke.

"Well," said Marvin.

"Don't talk about wells or springs or water," said Cooper brusquely. "What we want to talk about is sheep."

"No we don't," said Tom curtly. "Somethin' else comes first. You men listen. Every one of you knows better than I do just what conditions are in this valley. Some of you were in the hotel the night I reached Palo Verde, when Owens, the telegraph operator, came in. He told us, you remember, he had overheard Oscar Cargan arrange with Brenam to have Brenam bring his gang into town Saturday night. That only means one thing. Cargan has got an injunction out against us for wiring the Springs. I'm fighting that injunction. Cargan and Devers own the sheep across the ranges. They mean to bring those sheep across and put them on Deep Hole water. If they do that it will spell ruin for every one of us. I was going to Gatewood, but Marvin reminded me that Gatewood is Devers' appointee. We'll get no good there. There's only one thing to do, to take matters in our own hands and handle them our own way. Brenam can't have more than eight or ten men. We can handle that bunch. I'd like about six of you to meet me at the hotel tomorrow night at six o'clock. The train is due at six-thirty and waits twenty minutes for dinner."

"What are you going to do?" Cooper's question crackled like a gunshot.

"Do? I'm goin' to meet this man Sourdough Brenam at the station. I'm goin' to see that he and his gang keep on goin'. If they do—all right. If they don't—well, that'll be all right too, if you men are with me on this see-saw."

The big men eyed each other uncertainly for a moment. Not many years before, the only law in Huisache Valley had been public opinion, and the public opinion was the combined opinion of every decent, hard-working ranchman in the valley. After that, established law came in. Now established law is generally based on custom and because of that has usually been accepted, but with Huisache Valley it was different.

Into Huisache Valley trickled crooked gamblers, questionable assayers, cheap lawyers, all shouting that their advent would redeem the valley. Huisache Valley eyed them askance. They had seen Devers come in; they had seen Cargan come; they had seen Fargas get hold; they had seen Casper change Palo Verde's one bank from a friendly institution that had won the good

will of every ranchman to a grasping octopus that stretched his tentacles about every ranch in prospect in the valley and in the surrounding hills.

These big men knew that something had to be done; they merely waited for somebody to start it. It just happened to be Tom Frayne who set the match to the pyre.

"Four or five of you," he said, "decide who it will be. Draw lots."

MARVIN went to the kitchen and came back with a handful of beans. He sorted them carefully and put them into a hat.

"There are ten of us," he said. "I'm leaving me and Tom out, 'cause, of course, we go. That leaves eight. I've put four brown Mexican beans and four white beans in this hat. White beans go with Tom, black beans stay out. Each man draw one bean."

He passed the hat from man to man. The big men drew in silence and the hush of the big room was broken only by the creak of a pistol belt or an occasional low muttered word.

"Show down. Each man lay his bean on the table." Marvin ticked off the names as the men laid down the beans. "Cooper, Marston, Leeper, Siles." He whirled on the four men. "How far are you willin' to go in this matter? Remember, it's 'Pike's Peak or bust,' as they used to say when the emigrant wagons hit the Oregon Trail."

"I reckon, Sam, we'll go as far as Tom likes." Cooper grinned at him. "And there's one thing certain; Tom's only takin' four men, but all beans, black and white together, go in the same stew. Now, what you want, Tom?"

"You four stay here with me," said Tom. "Brenam gets in tomorrow night. The rest of you go home. Send word to the managers of these four men to keep their men together and you do the same, so if we need men we'll have 'em. First of all, though, I'd like about two hundred dollars. I want to buy tickets for Brenam and his gang."

Laughingly, while Tom shouted for Potbelly to bring water and glasses, the big men shelled out notes that Tom gathered up.

"I don't know how far it will take them," he said, "but it'll be farther than they care to come back. I'll buy them one-way tickets."

There was much talking and little drinking and the selected men were joked and somewhat envied by the others.

"Well," Williams of the Circle Dot rose ponderously, "we'd better be headin' home, I reckon. We'll wait for word from you, Tom. If you need us we'll come a-runnin'."

When the last man had departed and when the four men, selected much as Gideon chose his warriors, had turned in on improvised cots, Marvin eyed Tom through the reek of tobacco smoke. "Do you know, son," he said, "that this may mean civil war?"

"I know exactly what it means," said Tom, "and I'm goin' the limit."

Word of what had taken place trickled to the Lazy Y bunk-house and man by man the seven on the ranch payroll begged to be included in what they called the "deal."

"Hell, man." Russell, a six-foot-three Texan with the mouth of a petulant child under a trail-driver's moustache, fairly backed Marvin into the angle of the corral bars. "I've been on the Lazy Y payroll nine years come Christmas. I've punched more cattle, broke more colts, drunk more whisky, and et more of Pot-belly's damn' rotten cookin' than most men can stand, and now when it comes time for a little enjoyment like a Saturday night free-for-all, you're goin' to leave me out of the bilin'."

Sam pushed him aside. "You darned fool," he said. "We're leavin' you men out 'cause we don't want to get you in jail. That's why."

"Jail, hell!" Russell fairly glared at him. "Ain't it our jail? Ain't we paid for it? Who the hell's got a better right to go to jail than I have?"

Sam conceded the point but stood by his argument and Russell retired, grumbling.

It was late on Saturday afternoon when the men saddled up and, with a dead silence in the bunk-house, headed south for Palo Verde. The riders gathered close as they drew near the town where the smoky lights were already lit.

"We'll all go to the hotel, corral our horses, and get one drink," said Tom.

Saturday night in Palo Verde was an event. Small ranchmen for miles around with wives and children made it a point to do their marketing as late on Saturday as they could. Even a cheap restaurant dinner seemed a festival to those hard-faced, pathetic-eyed women who, as Sam Webster said, "spent their time bearin' children an' buryin' them." No one paid any attention to the six men who turned into the hotel corral. They slipped the reins through the throat latches of the bridles, tied their horses

to the tie-racks and scattered some hay before them to keep them quiet, then they joined Tom in the bar.

"Twenty minutes to six. Just time for one drink and then we'll start the round-up."

Bottles passed from hand to hand. A five-dollar gold piece clanked on the bar and the big men drank and departed, leaving Jacobs, an astonished bartender, staring after them.

"They ain't drunk," he muttered. "And they don't hit dope, but they been hittin' somethin'." And he stared after them wonderingly.

UNCONCERNEDLY they sauntered down the street to the little red-painted station and gathered in a knot by the open freight shed.

"It's a combination train," said Tom. "They'll be in the smoker, of course. The car is half-baggage an' half-smoker. It'll be at the head of the train. Cooper, you and Marston cross the track and watch the off side of the train. You know Brenam?"

"I do," said Cooper.

"Then you and Marston gather in Brenam and his bunch if they get off on your side of the train. Don't let them go for their guns. I'll do the same on this side."

"How about their tickets?" said Sam.

"Can't buy their tickets till we find out how many are needed," said Tom. "There she comes."

The great, white headlight shot around the curve and to the screaming of brakes and crashing of complaining draw-heads the train bucked to a stop with the smoking car opposite the open freight shed. Tom and Marvin, with Leeper and Siles, gathered at the rear end of that car as two Mexicans got off, an Italian organ grinder with his monkey, and then Tom saw through the window six or eight big men thrusting towards the door. Leeper touched Tom on the shoulder.

"That's Sourdough Brenam." He pointed to a stout man whose red beard flamed like fire. "Mind you, Tom, you can't run a bluff on him. It's talk and shoot at the same time. Get the drop on him when he comes off the train."

Sourdough Brenam, with his men behind him, stepped off the car on to the cinder platform and for just a moment stared uncertainly about him. It was evident that he expected someone. Before that uncertainty cleared away something hard was thrust into his stomach and Tom's voice, as cold as chilled steel, fairly grated in his ear.

"Get back on that train, Brenam. If you move I'll kill you. If any of your men goes for his gun he'll be shot like a dog. You can't pull here what you did to Underton. Sam," he passed his wallet to Marvin. "Buy seven single-trip tickets."

"Where to?" demanded Sam, not unreasonably.

"I don't care. Buy seven tickets as far as the money will take them. Get back on that train," said Tom to Brenam. "Huisache Valley's got no place for you. And while you're going, you'd better go so damn' far that it'll cost nine dollars to mail a postcard back."

Brenam said no word. He wanted to go for his gun but he did not dare. He did not know how many men were backing Tom's play, for a crowd of ranchmen, prospectors, dry farmers, nesters, suddenly aware that something elemental was taking place, had gathered in a great group under the smoky lamp. Man by man, Brenam's gang got back into the train. Then Marvin came back with the tickets and thrust them into Brenam's hands.

"To Dry Gulch," he said. "That's right in the middle of the desert. You'll get there about midnight. There's one good thing. You've got the whole country to sleep in, so you can't fall out of bed."

"Now go." Tom's hand on Brenam's shoulder sent the big man staggering to the car steps. "Remember, if you or your kind come back to help Devers or Cargan, you're askin' for trouble and you'll sure get it."

The train was already moving as Brenam clambered up the car steps and regained his balance. He swept out his gun and fired two hasty shots at Tom, standing under the lamp, and a shriek from the massed crowd told that one of those bullets, at least, had found a target. As the red light of the departing train swept around the curve Marvin grabbed Tom by an arm and pointed to a dark figure scurrying up the street.

"That's one of the process servers from the sheriff's office," he said. "One of Gatewood's men. I'm thinkin' we've only dealt the cards for a crooked game."

"All right," said Tom. "Game's crooked all right enough, and from the way we started out tonight, I judge the Jacks are wild. Let's get back up town and get our horses. It's time to leave."

CHAPTER IX

THE CROWD at the station had seen little but surmised much, and those two shots that Brenam had fired from the departing train acted like oil on flames. To them Tom was the one who strated the trouble! Man after man took up the cry. Man pointed him out to man as, with his men, he shouldered his way along the crowded sidewalk past open bars and busier gambling halls towards the hotel. They lined up at the bar for a final drink and found themselves watched by little groups of men who eyed them from a respectful distance. Tom and his men were ranchmen, men who owned or leased huge tracts of the land that these little ranchers or dry farmers or nesters coveted. Hopeless optimists, they sought to raise green crops in a dry land and, like all newcomers, they resented seeing the broad miles of the valley held by a comparatively few individuals, although these individuals had had the courage and the hardihood to preempt those ranges, to stock them and to hold them, as Sam Marvin said, "In spite of hell and high water." Marvin watched the groups in the hotel bar, conscious of their antagonism.

"The fools," he growled. "They can't even see the length of their own noses. They can't see that what scratches us will smash them. A few wire fences in the valley are bad enough for cattle, but if Devers and Cargan ever get their sheep across the ranges, there won't be an inch of wire fence in the whole valley, not a square foot of green crops. The fools can't even see the side their bread's buttered on." He nudged Tom in the ribs.

"Stand fast, Old Timer. Here comes Gatewood and he looks like he means business. By God, there's Devers, too."

The swinging door swung back and Tom, glancing up, saw two men in the doorway. He saw Devers' face over a man's shoulder and he knew that that man was Gatewood, the sheriff. He did not know Gatewood and he eyed him with interest as the sheriff forced his way through the crowd. He was a tall man with the soft bulk that goes with easy living. Tom knew the type at once. It was not the type of the old-timer frontier sheriff. It was the easy political type, a man eased into office by bought votes, drawing a fair salary and large fees, always subservient to the wishes of his owners. Yet, Alonzo Gatewood had his following. He was easy-going and generous when it cost him nothing. He was "hail fellow, well met" when he had anything to gain by it and he was certainly generous with his deputies. But every man in the valley knew that when Gatewood spoke, the thought was Devers'.

Suddenly Peter Judson drifted through the crowd and joined Tom and Marvin at the bar.

"Keep your eyes on the mirror," he said. "You can see them both there. They're up to some devilment. Watch Devers in the mirror, I tell you, even if you do cast a reflection on the sheriff."

"There he is." Devers' voice cut the hush. "That's young Frayne, sheriff. I charge him with having started an armed riot at the station tonight and with having been the cause of Joe Gomez getting shot. I sent for Mike Brenam to bring some men over here to do some fencing for me. They were to arrive tonight. This man Frayne, with some of his damn' crooks that I can't identify, went down there to the station and by threats of shooting made Brenam leave town. Naturally Brenam pulled a gun in self-defense and Gomez, in the crowd, got shot. It's all Frayne's fault and I charge him with inciting armed riot." Gatewood swung ponderously forward to where Tom stood. "Well, young fellow, what you got to say about it?" he demanded.

"Not a word," said Tom. "You're only sheriff. You can't try cases. I don't have to explain to you. If you get a warrant for my arrest I'll go with you. If you haven't, I won't."

"If it comes to that, I got the best warrant in the west," said Gatewood truculently. "Mr Colt makes them in pairs."

"Yeah?" Leeper's big shoulder edged Devers aside. "And I reckon six of a kind, too. I got me a Colt warrant."

"Settle it without a row." Judson's whisper was too low for any ear but Tom's. "Tell him you'll go before Judge White with him to answer the charge, but you won't acknowledge an arrest."

Tom nodded. "I'll go with you, sheriff," he said. Then at a sudden thought he added, "But you got to take that man, too." He pointed to Devers. "I charge Devers with having brought into Palo Verde a gang of thieves and cut-throats for the purpose of intimidating law-abiding citizens."

The crowd slumped back, disappointed in its hopes. There would be no open row.

Tom drew Marvin aside. "Get our men

out of town as soon as you can," he said. "And you wait here at the hotel for me, Sam. I'll only need Judson to come with me."

Marvin and his men drifted back into the crowd and Tom turned to Gatewood. "I'll go with you now to Judge White's," he said. "But you take Devers, too."

The slatted door of the saloon worked both ways letting out the crowd, eager to hear the proceedings at the judge's office.

Andrew White was perhaps the one man in Palo Verde who could, as Judson said, "Look the whole world in the face and tell it to go to hell." He owed nothing to any one financially or politically. A lawyer by profession, a tuberculosis patient by acquirement, he had settled in Palo Verde because, as he said, "The atmosphere after that of New York was distinctly suburban." From time to time he invested his small savings, grub-staking prospectors or buying a brand from a small rancher who ran only a few head of stock. He had known and respected Tom Frayne, Senior, and had a high regard for Marvin. For Devers and Cargan, because of the litigation over the springs, he had a thinly-veiled distrust. He was in his office when the crowd surged up the steps. Gatewood stopped them on the street and opened the door to let Tom, Judson and Devers pass. Then he turned to the crowd.

"This room will hold about twenty of you," he said. "Don't tear each other's clothes off."

A promising row settled by due process of law was a novel thing in Palo Verde. The crowd that entered that way was not quite sure whether they were in a church or a gambling hall. A Bible lay on the desk and a pack of cards was spread out where Judge White had been playing solitaire. He looked up as the crowd drifted in, a card suspended in his hand.

"Deuce to play," he muttered. "I suppose that damned ace is buried somewhere. What is it, sheriff?" he demanded.

Gatewood thrust Tom forward.

"Mr Devers made a formal complaint against this man Frayne," he said.

White turned to Devers. "State your complaint," he said.

That little office immediately resolved itself into a court of law. The cards were swept from the desk and the Bible was thrust into Devers' hand and an oath extracted from him. It was a very different oath from that which usually came. He gave his testimony clearly, briefly and, to Tom's surprise, apparently without animus. Then four other witnesses were sworn. Tom knew none of them but he knew the type, little nesters. He could not know that each of them owed money to Devers, for which they had given chattel mortgages for everything they owned in the world. Cade, a shifty-eyed "Cousin Jack," gave fairly conclusive, if lying, testimony.

"I heerd this man Frayne say to his men, 'If Brenam makes a move, shoot him and his whole darned bunch,' he says. 'We'll clear all scores right now.' "

THE others gave practically the same evidence, and in spite of Judson's cross-questioning, they could not be moved. They had heard nothing else. They had seen nothing else, and they knew that the shot was fired from the train. They swore they were sure Brenam didn't fire the shot because they had seen him go into a car and take a seat. Judson metaphorically threw up his hands.

"Even Saint Peter couldn't prove a case against Ananias," he said. "He just killed him. That's what ought to happen to a liar."

White listened carefully to Tom's explanation which, to his mind, did not explain at all.

"A thousand dollar bond," he said. "I'm holding you over for court, Mr Frayne, to see what the grand jury wants to do."

Judson regarded him with astonishment.

"Judge," he said, "will you let this man go on his own recognizance?"

"No," snapped White. "I want two persons on his bail bond."

"All right." Judson scanned the crowd. "It's Saturday night and the banks are closed. I can't raise a thousand dollars now." He raised his voice to be heard clearly in the street. "I want some one to go on a joint bond for a thousand dollars for Tom Frayne of the Lazy Y," he said.

Silence fell. Any man who had a thousand dollars in Palo Verde that night had plans for it—Red Dog, chuck-a-luck, faro, roulette—there were a dozen openings for every dollar. The crowd milled about uncertainly.

"Come on," said Judson, "somebody come across. A thousand dollar bond."

"Let me through. Good Lord, you're worse'n pack rats, all of you." A pair of flail-like arms forced the crowd apart and

a figure crowded to the front, at sight of which Judson let out a yelp of joy.

"Mrs. Tyson," he said. "Good Lord, what brought you into town?"

"Two half-broken ponies, a rotten buckboard, and some string harness," said Mrs. Tyson. "Let me in. Is this the place you make your laws?" She swung forward into the lamplight, as curious a figure as the south-west could show. A brown khaki skirt was hooked up over run-down boots that shed powdered dust over the floor; and a man's woollen shirt, open at the neck, disclosed a dark ring like a necklace. Her face was rich saddle color, the mouth kindly, the eyes small and piercing. Her straggly hair was brushed back so tightly that it seemed impossible for her to close her eyes. Her heavy-handed slap between the shoulders almost knocked Tom aside.

"Tom Frayne," she said, "I'm as glad to see you as I'd be to see a rainstorm. When did you come back?"

Tom told her.

"What did you come back fer? To have Devers get you arrested?"

Judge White tried to say something and she turned on him like a catamount.

"You shut your mouth, Andy White. I knowed Tom Frayne's outfit when his father had no seat to his pants, when his mother sewed a buckskin seat into his chaparejos and old Tom wore them 'cause he'd just been married and he didn't like to hurt his wife's feelin's. Who wants a thousand dollars? You, Tom Frayne?" She turned around to Judson. "You want it fer Tom?"

"Only your name, Mrs. Tyson." Judson thrust the paper before her. She scanned it, drove a pen so violently into the ink bottle that she broke the pen, seized a pencil from a pocket of her coat, sucked it audibly and signed the bond.

"I ain't forgot who loaned me five thousand dollars when I needed it bad," she said. "Anythin' I've got, Tom Frayne, you kin have."

"Is that all, your Honor?" Judson turned politely to Judge White, who bowed and nodded. "If so, we'll be going."

They headed for the door with Mrs. Tyson at their heels. She stopped them on the sidewalk and let the crowd go by.

"Mebbe Sam Marvin has told you what he knows," she said. "He knows most of it. I jest wanted to remind you of this, Tom. You've come back to a changed place. While you was in the Army, things was workin' up here. Like them damn' sandstorms that start down in Mexico and blow up here and kiver us with red dust. Devers and that man Cargan with Fargus and Casper have jest about corralled every dollar in the valley. We're cattle people in this valley, Tom. The good Lord meant us to be cattle. Jest 'cause I struck a four-foot vein of sheet mica on my ranch, it don't change me from cattle to sheep. I tell you, if somethin' ain't done them four crooks'll own the valley, and that ain't all. Devers...." She raised a hand to her mouth and spat delicately at the name. "Devers plans to make Fran Wemys marry him. I'm goin' to bust that up if I've got to bust Devers. I don't like to bust him up, either."

"Good Lord, why not?" demanded Judson.

Mrs. Tyson regarded him judicially.

"Did you ever step on a tomater worm?" she asked. "If you have, you'll know why I don't want to bust Devers....messy! You mark my words, Tom Frayne," she said. "I ain't askin your plans....mebbe I got no business knowin' them, but I knowed your father and your mother and I knowed you and I'm backin' the Fraynes against the whole damn' pack. If you need anythin' more, you come to me."

She strode off through the crowd and Tom with Judson headed for the hotel where Marvin was waiting for him.

CHAPTER X

"IT'S A GOOD thing for you Mrs. Tyson turned up," quoth Judson.

"She's got a heart as big as an ox," said Tom. "You didn't know her as a kid, Pete, but I did. There isn't a family in the valley that don't owe her something for kindness done. It's right queer too. I've never known it to fail. A kind action and a rough word back of it. It looks as if she's ashamed to acknowledge, even to herself, the kindliness that she shows to other people. When I was a kid she and her husband, third or fourth it was, she's had as many husbands as Solomon had wives, started in to raise cattle. She's always been a crank about blooded stock."

"She struck a four-foot vein of clear mica on her place some years ago," said Judson, "and she signed a ten-year contract for it with some stove company. They're using it for stove doors. It's a good thing for her she had a ten-year contract, 'cause stoves

have gone out. What are you going to do now, Tom?"

Without replying, Tom steered him into the Red Dog Gambling Saloon, where a long bar filled one side of the room. Faro, chuck-a-luck, and policy tables filled the opposite side and at the far end was a raised floor for dancing. Between the bar and the dance floor was a small room where nightly Mose Fleming, Palo Verde's suave gambler, ran a poker game. Fortunes changed hands rapidly on that little covered table. Cattle, mining prospects, mining claims, I. O. U.'s, gold watches, everything had its potential value in Fleming's hands. Tom steered Judson to the end of the bar nearest the cardroom and demanded drinks.

"I want to put my finger on the public pulse," he said. "The six or seven of us who are out-and-out ranchmen can hardly make headway against the whole valley. If you know any of these nesters, call one of them up, a good reliable man. I want to know how he feels about the sheep question."

Judson faced the room and his eyes wandered over the assemblage till they met the gaze of a short, stocky man clad in blue overalls and a gray Stetson hat.

"There's Carson." Judson pinched Tom's arm. "He's been tryin' his damnedest to make a living for his wife and four children off a hundred and sixty acres of land." He motioned to Carson, who came over and was introduced to Tom.

Over fresh drinks Tom eyed him. He liked his looks. There was a frank honesty in Carson's wide-open gray eyes that told of reliability and a firm set about the mouth that yet had a humorous twist to it.

He'll tell you the truth," said Judson. "How about it, Carson?"

"It depends on what he wants to know," said Carson. "If I tell you anything, I'll tell you the truth."

Tom sized him up for a moment then spoke frankly. "How do you fellows feel about sheep coming into Huisache Valley?" he asked bluntly. "I'm Frayne of the Lazy Y. I want to run irrigating ditches down the valley from my Deep Hole Springs to water the valley as far as I can to give water to all who need it."

Carson's eyes lit at that. To a small nester in an arid valley that had not seen rain for several years, a drink of water was as valuable as to the damned.

"What are you aimin' to charge us?" he asked. "I got no money to pay for water?"

"Wait till I ask you for pay," said Tom. "I just want to remind you that if sheep ever get into this valley your homestead is gone. How long do you reckon you'll be able to string fences to keep your green crops if sheep overrun the ranges?"

"Huh. I see. You see, Mr. Frayne," Carson sipped his liquor. "I bought that place of mine site unseen. I had six acres back in Sonoma in California, then my wife had to come here on account of her health. I had to come quick, so I snapped up an advertisement in the paper. That damn' thing said, 'One hundred and sixty acres within half-mile of water, four-room house of native brick, tile roof, modern conveniences, planted to beans.' "

"Well," said Judson, who had never heard this before, "go on. You're giving us all the plot except the marriages and deaths."

"We come out here," said Carson, "and we found that damn' notice was literally true. There was a hundred and sixty acres of land given up to beans—but they was mesquite beans. The house was native brick, all right—adobe brick with cockroaches as big as lizards runnin' in and out of every crack. There was a tile roof, to be sure, but it had fallen in. It was a half-mile from water, but it was straight down."

"Good Lord!" Tom stared at him over his untouched liquor. "And the real estate people got away with that?"

"They get away with anything when you've got a sick wife," said Carson sombrely. "I got to do somethin'. I was kind o' aimin' to ship my youngest boy, he's three years old, back east to his grandmother if I can raise the money. I would like him to see rain for once in his life before he dies."

"I wish you'd find out how ranchers like you"—Carson swelled visibly at the word "ranchers," as any nester would—"feel about this matter of sheep in the valley. Do you happen to owe Devers anything?"

"He's got a chattel mortgage on a pair of mules," said Carson. "He can take the damn' mules. The ground is packed so hard that a forty-mule Borax team couldn't break the crust. Sure, I'll find out for you, Mr. Frayne, and I'll tell Mr. Judson here."

HE FINISHED his drink and drifted back into the crowd and Tom glanced into the cardroom, where three men were

pulling up their chairs to the table for a game. Dr. Jones, Palo Verde's popular sawbones, caught Tom's eye and nodded to a chair.

"Sit in," he said cheerily. "You're Frayne of the Lazy Y, aren't you? I came here after you went away. I heard somebody mention your name. Care to take a hand?"

"Sure." Tom slipped into a seat.

The curtain was hastily jerked aside and Oscar Cargan lurched into the room.

"Hi, Doc. They're runnin' my way tonight. Looks like I can't lose." Then his eyes lit on Tom and his mouth tightened in a straight line. "This man in the game, too?" he asked. "It's all right with me. Looks like the Cargans and Fraynes are goin' to fight it out over both table lands and table, too. You want to play with me?" He turned fiercely on Tom. "Cash goes. Table stakes."

Tom eyed him for a moment. Any controversy was distasteful to him. He disliked every bone in Cargan's big body, for he knew the Cargans, son and father, to be unscrupulous thieves, but this was no time to be governed by his dislike.

"I'm playing against the cards, not the man," he said. "I don't give a damn what stakes you put up. I've got to assume it to be clean, till somebody proves it isn't."

Then Dykes slipped into the other seat and they cut for deal. Hand after hand of perfectly innocuous poker was dealt and played; round after round of jackpots till the chips in the kitty were stacked six inches high. From time to time men thrust their heads in at the door, listened to the betting and promptly left. From time to time Cargan called the colored boy from the bar and ordered rounds of drinks, drinks that, while the others consumed, Tom steadily refused. To play poker with a man is one thing. One can do that and retain animosity. But to drink with a man is like eating salt with him. He would not drink with Cargan. After Tom refused the fourth drink Cargan noticed it. His own drinks had made a visible impression on him. He had become quarrelsome and dictatorial.

"Take your liquor, Frayne. You might as well take the water, too. I ordered it. It's paid for. It won't be long before the Lazy Y will be payin' Cargan for what water they want."

Tom laid his cards face-down on the table and leaned forward over his hands. His face was grim and stern in the light of the swinging lamp, and the other three players, sensing impending trouble, sat breathless. Then a man struck a match.

"Don't make so damn much noise," snapped Fleming, whose self-control broke under the strain. "This game will be played out across the table. Keep quiet, you fools!"

"Cargan," Tom's voice was low and tense, "Your tongue's hung in the middle and wags at both ends. Five years ago we caught you and your father stealing off the Lazy Y. You've been stealin' ever since. You're a pair of lyin', thievin' crooks—keep your hands where they are, Cargan. If you drop your hand I shoot."

The curtain jerked aside and Sheriff Gatewood lurched into the alcove. His face was flushed and his eyes watery with hastily consumed liquor. Also, he was angry, for he had been jerked up by Devers for the weakness of his testimony before Judge White that had enabled Tom to get release on bail. Gatewood eyed the five around the table and even his half-sodden brain sensed trouble. He lurched forward and dropped a heavy-damp paw on Tom's arm.

"Them's fightin' words," he said. "You can't pull that kind of stuff here. You come with me. I reckon I'll stop trouble before it starts. I'll just lock you up for the night, Mr. Frayne of the Lazy Y."

Tom rose with a rush. He knew Devers was behind this and Cargan was with Devers. He thrust the table from him with all his weight and stepped suddenly aside. He had known men to be shot in the dark. He would take no chances. The table caught Cargan in the chest and sent him sprawling. Then someone whirled a chair and the next moment the swinging lamp went down in fragments and the room became a fighting shambles. Chairs were whirled indiscriminately in the darkness and the sudden uproar bore down the sound of the tinny piano on the dance floor where "The Professor" was pounding out popular airs. The sudden crash of a pistol shot seemed to jar the whole room. There was no flash; smokeless powder does not flash; just a flat smacking report that filled the room. Then someone struck a match and the bartender brought a lamp. The wick hissed, sputtered, and caught the flame of a cupped match and by that smoky light men saw Gatewood prone upon the floor. The blood was oozing from his chest and his feet were moving faintly in that final

twitching that accompanies death. Four men, outsiders, hurled themselves on Tom and Cargan dived for a still-smoking pistol that lay at Tom's feet.

"He did it," he said. "Frayne did it! By God, he shot him in the dark. Look at his holster. It's empty. He's the man who killed Gatewood. Cold-blooded murder!"

Judson had disappeared in the uproar and Tom, gripped by half a dozen men, found himself hurried through the bar where Weeks, a deputy sheriff, was drinking alone. He had come in after the fracas and had heard none of it. At the sudden rush he turned and listened to Cargan, babbling incoherently. Then he turned to Tom.

"I've got to lock you up, of course," he said.

"Then arrest Cargan, too," said Tom. "I charge him with the murder of Sheriff Gatewood."

BUT WEEKS shook his head. "One man for one murder," he said. "You come with me."

Judson, who had delayed long enough in the bar to see that poker game start, was halfway down the street when Weeks and Tom, with their accompanying crowd, overtook him on a street corner, where a smoky lamp punctured the darkness. Judson seized Weeks by an arm and almost threw him against a shop window.

"What new devilment is this?" he asked.

Weeks, who knew Judson well and liked him, paused long enough to reply.

"I'm lockin' up this man Frayne for the murder of Sheriff Gatewood," he said. "He shot him in the cardroom of the Red Dog. Frayne and Cargan were playin' and Gatewood came in. Gatewood and Frayne had words, then the light went out and there was a shot in the dark. When the light was lit Gatewood was dead on the floor, Frayne's holster was empty, and his gun still warm with one shot fired was lyin' at his feet. That enough for you?"

Judson considered him through half-closed eyes.

"You didn't used to be a fool, Joe," he said. "Do you suppose if Tom Frayne had shot Gatewood he would've shot him in the dark with his own pistol and then dropped that pistol at his own feet and never moved away from it? There're a lot of damned fools around here in Palo Verde," he said warmly, "but it sure looks to me like you're a mile ahead of the others."

"All the same," said Weeks, "I'm lockin' him up and he'll stay locked up this time. He won't get loose now on a money bond. Get out of the way, Judson, and don't interfere with law."

"Tell Sam Marvin," said Tom over his shoulder. "You'll find him at the hotel, Pete. Catch him before he leaves."

Then he was hurried off and the heels of the accompanying crowd clicked sharply on the board walk as they headed for the jail. Judson stared after Tom for a moment and then headed at a run for the hotel where he knew he would find Sam Marvin.

CHAPTER XI

LEEPER, Cooper, Marston, and Judge White were seated at the poker table in Marvin's room where a quiet game had gone on for hours, punctuated from time to time by stops for beer and sandwiches, a smoke, or a side-splitting story. It was a vastly different game from that which Fleming ran at the Red Dog. Judson paused at the open door and White flung him a curt "Come in." He entered in time to hear the end of a story in Marston's high, almost whining voice.

"They played for three days," he said. "Old Tom Frayne was in it. They were playin' with a pack of cards that the Indians made out of horsehide, scraped thin, and they shuffled that damn' pack so hard for two days and nights that you could see the spots right through the cards. You could even see that the queen had a mole on the back of her neck. Curtis lost thirty thousand dollars in that game. He didn't have cash nor check nor paper to write a check on, so he wrote out a check with red chalk on a shingle he jerked off the roof. The bank paid it and the bank's still got that shingle framed as a relic of the old days when a man's word was worth somethin'. What do you want, Pete" he demanded of Judson, who entered suddenly.

"Trouble for Marvin, I'm afraid. Tom Frayne was arrested twenty minutes ago on a charge of having shot Gatewood in the Red Dog Saloon. Cargan's son accused Tom of murder."

For a moment they sat aghast, then Judge White rose and took his hat.

"I'm going home," he said. "This is no place for me. I suppose the Lazy Y will be pulling me out of bed before morning to take this matter up, but I'll be dogged

if I won't shoot the first man that tries to get me up tonight." He departed, but not to his own house. He wanted some sleep.

"White's right." Leeper dragged Judson forward. "If they've got Tom in jail, the rest of us will get a hell of a lot of sleep this night."

"What're you goin' to do?" asked Marvin as Leeper rose. "Goin' to get Tom out?"

"No. I ain't worryin' about gettin' Tom out. Tom's all right. I'm just goin' to pull the jail away from around him."

Again Marvin eyed him. Then he eyed the bottle. Then he filled a tooth mug to overflowing and thrust it at Leeper. His eyes opened in astonishment when Leeper put it aside.

"We got all the rest of our lives for drink, you old fool," he said. "We got just this one night to pull the jail down." He turned to Marston and Cooper. "I want you two," he said. "And I want two more men. I want four good Manila lariats and two sticks of cord wood."

They grinned acquiescence with no idea of what was to happen.

"What in the world are you aimin' to do?" asked Marvin.

Leeper seated himself on the end of the table and flirted with the tooth mug full of whiskey. "I'll take it now," he said. "This here is just a kind of a christening drink. Here's what we'll do—you all know that jail."

THEY did. On occasions in the past some of them had sojourned inside it from time to time. It was a low adobe building with fairly thick walls, built behind the court-house. It had three rooms, so-called cells, that opened on a long corridor that ran the full width of the building and each room communicated with that corridor by a grated door. Inside each cell was an iron cot, a stool, and a narrow window, eighteen inches wide and six feet long, high up under the eaves, barred with six iron bars that were let into the adobe and fastened with melted lead at the bottom.

"Of course, they took Tom's knife away from him," said Leeper. "If he had a knife he could cut his way out like a rat goes through cheese. As it is, he'll need some outside help."

"I don't quite see how you're goin' to give it to him," said Marvin.

"That's easy. We'll start a dog-fight outside the place and draw Curtis out. He's the jailer. We'll keep him out somehow. If he don't answer to argument, we'll crack him on the head. Cooper, you 'tend to that. I think a bottle of liquor'll draw Curtis better than anythin' else. In the meantime—come on." He broke off suddenly. "There's no wastin' time talkin'. It's easier to show you. Cooper, you get the whiskey and go for Curtis. Get him outside the jail an' keep him outside—in front of it. The rest of you come with me. Marston, you get Siles an' Jenkins. They know enough to keep their mouths shut and their pores open."

Marston disappeared and was back almost instantly with Siles and Jenkins, grim, hard-faced men who took orders as the Jews took the Decalogue, to be of aid in emergency. They both knew an emergency had come. They moved softly down the stairs where Cooper joined them with a bottle he had got from the bar, and they headed for the corral.

"Look for a coiled rope on the wall," said Leeper. "I saw a coil of new Manila rope on a peg when I came in. Find it."

Marvin found it—with his nose, groping in the dark, and a hot invocation announced his finding. Leeper jerked the line into four parts and gave a piece about forty feet long to each man. Then he pulled a short bar about four feet long from the corral fence.

"This'll do fine," he said. "Come on."

"Good Lord," said Marvin. "If he hits Curtis with that, his widow will be on the county."

"She ought to've been long ago, but I ain't goin' to hit him. Come on. Cooper, you get in front of the jail and start singin'. I don't know anythin' that'll start trouble quicker than your singin'. Curtis'll prob'ly come out to kill you."

Cooper grinned and departed. His job was to draw Curtis out of that jail and the other men saddled their ponies.

"Saddle Tom's pony and bring him along, too," said Leeper. "He'll need him."

They led their horses quietly after Leeper, across the street and up a dark alley that led straight to the back of the jail.

The night was dark and Palo Verde, nervous to the point of explosion, had begun to quiet down. Men gathered in little knots along the street, discussing in low tones what had happened. Still others were

more anxious to know what the future held, but no one in all Palo Verde had seen those five men move out of the hotel corral. Leeper stopped abruptly behind the jail, stood erect on his saddle and moved his horse slowly from window to window. They could hear his low-toned voice as he sought the right cell.

"Tom! Tom Frayne! I say, Tom."

From the end cell came no response. The centre cell was silent. When he got to the window of the third cell his question brought forth a low-toned "P-s-s-t."

"I hear you. Who is it?"

"It's me! Leeper! We're aimin' to get you out, Tom. You got a knife?"

"No. I've got nothin' except a belt full of cartridges, but no gun."

"All right. Stand by. The old Jews brung down the walls of Jericho by blowin' their horns, so I'm told. I'm not blowin' any horns, but this wall's comin' down. Gi' me that stick of wood, somebody."

To the middle of that stick of wood he tied the four ropes. Then, standing upright on his saddle, he slipped the bar inside the window and turned it endways to catch on the iron bars. Then he spread out the four ropes and gave one to each of the four men.

"Dub that to your saddle-horns and, when I whistle, walk away with the slack. Take it easy so there's no jerk. The minute the slack is taken up, I'll whistle again, then slap your spurs into the rowel seats! I want all four horses to jump at the same time without a jerk. If they jerk, they'll break the lines."

A low-voiced, fervent oath from Marvin told his approval. He knew that no adobe wall ever made would stand that strain.

THE bar was passed inside the window and the four men, mounting, took up the slack slowly and when the ropes were as taut as harp strings they paused and waited expectantly. They could hear Cooper's voice from the front of the jail, raised in song. That song had been used on a thousand occasions to quiet restless cattle on their bedding grounds, but human ears are better attuned to melody. Cooper had more than once had to fight to preserve his choice:

"It was a cold night in December,
The date I can't remember,
As I staggered down the street in drunken pride.
I was too drunk to utter,
So I fell down in the gutter,
And a pig came up and lay down by my side.

"While lying in the gutter,
Too drunk to even mutter,
A lady passing by was heard to say,
'You can tell the man who boozes
By the company he chooses,'
And the pig got up and slowly walked away."

That brought Curtis roaring out of the cellroom. He was met by an uncorked bottle thrust almost in his face, then it went into his face and a gurgling sound followed and Cooper, Curtis et al were busy so that neither man heard what took place behind the jail.

"Now stand by for a low whistle and all pull at once."

A low whistle came to them. Four men lay forward in their saddles and their spurs mercilessly rowelled their horses' flanks. Sixteen scuttering hoofs ploughed up the gravel as four snorting horses took up the weight exactly as they had been taught to hold down a roped steer.

"Again."

Loosened reins and bloody heels urged the horses to their task.

"She's comin'. Pull, you paper-backed beggars. Those four horses can pull the post holes out of hell. Pull, I tell you!"

Leeper's hot imprecation and his stinging quirt drove all four horses into restless action. The new ropes hummed like wet harp strings. One broke with a sudden twang and Siles's horse pitched forward on his nose.

"Again. All together now. There she comes."

At first it was just a gradual easing of the strain on the rope. Then the increased pressure brought at least four thousand pounds pulling weight to bear on one point and the whole section of the wall gave way. It pulled out from under the eaves just as a side pulls out of a cigar box, and the next moment Tom was scrambling through the ruins.

"Here's your horse, Tom." Marvin thrust the romal of the bridle into his hand but Tom thrust it back.

"I want my gun first of all," he said. "That old fool Curtis has got it."

"Him an' Cooper is holdin' a singin' bee round front," said Leeper. "If you get that gun, don't shoot him."

Tom crept round the corner of the building and found the two in red-hot argument.

"I tell you," said Cooper, "it was a pig! No! I didn't say the pig was doin' the singin'. Pigs can't sing, you old fool. I said the lady come up and she says to the pig—"

At that point Tom's grip had settled on Curtis's neck. "Where's my gun?" he demanded.

Curtis looked at him unbelievingly and Tom Forced him inside the door where a smoky lamp disclosed the extent of the ruin.

"Give me my gun," said Tom. "And do it darn' quick."

He jerked Curtis's gun from its holster, unloaded it, and returned it to him and took his own gun that Curtis got from a desk drawer. Then he unhooked from a nail a bunch of keys. They thrust the unwilling jailer into the end cell and locked the door.

"Better leave the bottle with him," said Cooper. "They'll think he locked himself in with a bottle to keep somebody else from gettin' it. You ready now, Tom? Let's go."

The restive horses plunged and snorted, but there was none to hear them as the little group passed along Palo Verde's long street and headed west for the Lazy Y. Marvin turned to Tom and spoke curtly.

"You can't stay at the Lazy Y, Tom. They'll be after you in the morning. You remember Coyote Caves?"

Of course Tom remembered Coyote Caves. As a boy he had killed a family of coyotes in those very caves; three caves on a bare hillside above an aspen-filled canyon in which a spring gurgled in wet seasons. Those three cave entrances opened into a central room in which was a tiny waterhole that gave a small but almost unfailing supply of water. Not even all of the Lazy Y men knew of these caves, but Marvin and Tom and old Pot-belly knew them well.

"You take Persons and Leeper and some grub and blankets and go up there to the caves," said Marvin. "Don't take your horses 'cause they'll leave tracks. You can ride to within a mile of them and from there on you got to foot it."

Their arrival at the Lazy Y was in the nature of a festival, but when they told what had happened, that festival turned into mourning. Persons alone clamored boisterously as he loaded a pack mule with ammunition and supplies. The sun was not yet risen when Tom, with Leeper and Persons and the laden pack mule and two men to bring back the horses, headed across the mesa for the canyon two miles distant, in which lay Coyote Caves.

CHAPTER XII

WHEN the supplies had been carried to the cave, Leeper wrote a hasty note to the foreman of his ranch, the Bar Diamond, south of Palo Verde. He grinned at Tom as he wrote the note.

"Pervis is a good man," he said, "but I'm not tellin' even him where I am. I've simply told him that if he has to get word to me for anything, to send it to Peter Judson or Sam Marvin. I'll send this note back to the Lazy Y by the men with the horses."

When the men had departed, Tom and Leeper, with Persons at their heels, made a thorough survey of the caves. The canyon banks ran up almost sheer from the valley and up those steep banks a score of small trails, made by rabbits or deer or coyotes, wound tortuously. The face of the bank was covered with red-stemmed madrono, with stunted mesquite and thorny huisache that seemed woven almost into a mat with cat's-claw and wild gourd. Tufts of Spanish bayonet thrust out almost horizontally from the face of the bank, and fire-tipped occatilla and yellow, budding chollo dotted the face of the bank. Those three caves lay about the same elevation above the bottom of the canyon and about fifty feet apart. Each was about the size of a small cellar door and angled into the cliff face to join in a common room about fourteen feet square. In one corner of that room a tiny trickle of water filled a small hole and seeped away through a stratum of gravel. In the middle of that room a column of rock rose from floor to ceiling. Tom dropped his blankets and packages on the floor and set his candle by them, while Persons and Leeper stared about them.

"We called it Coyote Caves," said Tom, "because when I was a boy we killed some coyotes here. The place is undoubtedly an

old miner's prospect. Somebody dug these caves."

"I wonder what they were after," said Leeper. "Looks like they did a lot of diggin' for nothin'."

"Unless they was thinkin' of makin' a home for us," said Persons.

"We can stay here for a thousand years without being seen, if we're only careful to leave no trace going and coming," said Tom. "But there's one thing I'm not clear about—what am I going to do now we're here? I can't stay here forever. I've got to stay here until they clear up the murder of Sheriff Gatewood. And the hell of it is that if I leave here and try to clear it up myself, they'll grab me and shut me in jail."

"When a man's in jail," said Persons, who knew from experience, "he can't fight his own fight. He's got to depend on other people. You stay right where you are, Tom, and me and Leeper will keep in touch with the ranch for you."

They spent hours that night in endless argument in Stygian gloom and not till the first morning stars twinkled above the mesa did they finally roll in their blankets for a few hours' sleep.

The day passed slowly. Leeper, who had a pack of cards, played solitaire, and Persons whittled a set of dice from an old bone that he found, but they had thoroughly exhausted all the possibilities of those caves as a pleasure resort when the sun bedded behind the range. Before full dark came Leeper gave his ultimatum.

"I'm goin' back to the Lazy Y right away," he said. "It's only two miles and Sam Marvin and Cooper and Marston have got to understand how necessary it is to find out who killed Gatewood. If we don't do somethin', Palo Verde'll just rest content with assumin' you murdered him, Tom. Cargan an' Devers'll see to that."

He downed the last of his coffee, patted his gun, and took off his spurs. "I'll be goin' now," he said. "Expect me back when you see me. I won't come back by daylight. It'll certainly be, at earliest, tomorrow night, but probably a couple of days before I come back."

They heard him scuffle down the hillside and chuckled at the language that drifted up to them as Leeper thrust his face into a clump of cat's-claw or swerved aside into a clump of Spanish bayonet. When the noise of his descent died away Tom and Persons went back to their blankets. They knew they could trust Leeper.

A cattleman afoot is as much at home as a cow in a ballet. The only walking Leeper ever did on the Bar Diamond was from the corral to the kitchen or, when in Palo Verde, from the tie-rack to the bar. It took him nearly an hour to do that two miles to the Lazy Y and Sam Marvin's astonishment at seeing him expressed itself in a great oath.

"What brought you back?" he asked.

"A pair of blistered feet brought me back," said Leeper. "Don't you ever believe it, Sam, if anybody ever tells you that a man on foot can outlast a horse. 'Tain't in reason."

MARVIN set bottle and glasses before him and listened while Leeper told him his mission.

"We'll go down and see Judson in the morning," said Marvin. He paused as the door opened. "What you want, Pot-belly?" he asked curtly.

"I seen Leeper come in," said Pot-belly. "An' I heard what he told you. Them people down in Palo Verde ain't goin' to look for anybody except Tom for the murder of Gatewood. They're perfectly satisfied that Tom done it. Outside the big ranchmen who can't do nothin', and not countin' us here, we got just about three people we can count on to help us—Peter Judson, Mrs. Tyson, and Fran Wemys. If I was you," he turned on Marvin, "I'd see Mrs. Tyson. The whole damn' town is scared of her. She can find out for you what the others can't."

That was the stark truth. Palo Verde regarded Mrs. Tyson as mischievous boys regard a policeman. She was hampered by no inhibitions. She thought straight and she talked straight. As Sam Marvin once observed, "A pleasant conversation with Myra Tyson was like a dose of castor oil. You don't get any pleasure from it, but it does you a hell of a lot of good."

A red sun, rioting over the wire-drawn horizon of the eastern mesa, found the two men on the outskirts of Palo Verde. They dragged Judson from his blankets and explained their mission. Judson was frankly disturbed.

"Things are goin' a little faster than you thought," he said. "They haven't found out yet who pulled the back out of the jail, but they arrested Cooper as an accom-

plice. I managed to prove that he did nothing but get drunk and sing and I'll be dogged if they didn't fine him twenty dollars for creating unnecessary disturbance by singin'."

"What did they do to Curtis?" asked Marvin. "He was the one who was creating a disturbance when I left."

Judson grinned.

"From what Curtis said, you would've thought he was the most innocent and virtuous person in the world and that Cooper took him by force and poured a quart of rye down his gullet while he sang him some song about a woman and a pig and a drunken man."

"Where's Devers?" asked Marvin curtly.

"He just disappeared. But Cargan got his lawyer to get that injunction out forbidding you to wire the springs. On top of that, Cargan's attorney went before the court and requested that a new survey be made of the property lines. I don't quite understand that," said Judson gravely. "Devers and Cargan have an ace buried somewhere. They know just as well as every other man in the valley knows that those springs were well inside the original grant of the Lazy Y ranch. Cargan's suit for the springs would've been thrown out of court long ago if it hadn't been for John Dever's money and pull. I'd like to know what that old devil Cargan's got up his sleeve."

"A darned dirty hand," said Leeper, "and I'm goin' to force it. You say the court has ordered a new survey?"

"Yes." Judson strode up and down the floor. "Of course, Wemys will make the survey and Devers owns Wemys. Everybody knows that. When Wemys makes that survey his map will show Deep Hole Springs lyin' outside the property lines of the Lazy Y. And Tom Frayne dare not come back to fight his case because the minute he sticks his nose inside Palo Verde he'll be jugged for the murder of Gatewood. Wemys has been drunk for a week. If we could get Wemys sober we might have a chance."

"I don't see," said Marvin curtly, "what they can do to help their cause by keeping Wemys drunk. But, at least, we can see his daughter and see if she can't keep him sober until after the survey is made. I know Wemys pretty well but I don't quite see what they can expect Wemys to do drunk that he wouldn't do when he was sober."

JUDSON let go a great oath. "Sam," he said. "Did you ever drink alkali water?" They stared at him. Judson went on. "You can't drink alkali water without puttin' chollo buds in it. The acid clears the water and keeps you from getting a belly ache. That's exactly what you've done, Sam Marvin, without knowing it. I see it now. Cargan and Devers don't expect Wemys to do anything drunk that he wouldn't do sober. Jevans was fool enough to spend five hundred dollars on some sheep. He went to see Cargan about buying some of Cargan's sheep. He told me quite casually that Cargan has got God knows how many sheep being held by Mexican herders across the range. That was a couple of days ago. In another week they'll eat out the grass and they'll have to move. I'm pretty sure Cargan and Devers expect some drastic action about these springs in the next day or two. They're keeping Wemys drunk so he won't know what they're doing."

"But, my good Lord," said Leeper hotly, "what can they do while Wemys is drunk? They can't move Deep Hole Springs."

Judson looked at him queerly. "You might see Fran Wemys," he said, "and get her to try to keep her father sober. You men stay here," said Judson. "I'll go see her at once."

He found Frances on her little porch. Her face was clouded and her eyes showed care and anxiety. Judson spoke gently, without any circumlocution. He admired Frances greatly and he was sorry for her.

"Fran," he said, "I've known you for a good many years and you've known Tom Frayne still longer. You know the game that Cargan and Devers are putting up and you know that their success means the ruin of every cattleman in Huisache Valley. The court has ordered a new survey to be made of the property lines of the Lazy Y ranch to determine the ownership of Deep Hole Springs. Your father is the man to make that survey. Now, Fran, you know as well as I do that if he keeps on the way he has been doing of late, he's not the man to make an important survey to determine the ownership of the Deep Hole Springs. That survey'll affect every cattleman in the valley. Can't you keep your father sober for the next ten days, Fran?"

Frances smiled pathetically. "I've tried for three years," she said, "and never suc-

ceeded yet. Oh!" she broke out passionately, "it's just awful, Peter. He went to pieces after Mother died and he's never been the same man since. He's always kind. He's always gentle. He's always contrite over every slip—then he goes and slips again. Devers doesn't help matters. He's just an additional source of supply of liquor. I know there's crooked work on foot and I know that Devers is at the bottom of it. He's using the Cargans as his tools. How do things stand with Tom now?"

"Huh." Judson seated himself on the porch railing and began to count on his fingers. "In their application of indictment against Tom, they've got about as many counts as there are amendments to the constitution. Kidnapping—that's when he got Brenam out of town—armed holdup of a train, murder, destroying the jail, getting Curtis drunk—but I think what really makes the town of Palo Verde madder than anything else," he said, grinning, "was that outburst of song on Cooper's part." And he tried to win a laugh from her by telling her of Tom's escape. Finally he took his hat and rose and paused at the steps for a final word.

"Just remember," he said. "Be with your father all you can. If you're with him, common decency will keep him from getting drunk."

THE next moment he was gone, the gate clicked behind him, and Frances stood staring after him. There were quirks and turns to this plot she could not fathom. She knew her father to be not merely a land surveyor but a trained engineer who once had had an almost international reputation. Bad luck, bad liquor, bad lungs had pulled Wemys down from the top of his profession as consulting engineer to this county job in Palo Verde, that he held by favor of John Devers, and John Devers wanted to marry her. He had made that only too clear and Frances knew that the moment she sent him to the right about, she and her father would both lose their jobs. On the other hand there was Tom Frayne, clean-cut, decent, sober, hard-working. Tom, with whom she had gone to school, with whom she had played! His return to the Lazy Y brought new color, new light into her life. She did not dare admit even to herself what Tom Frayne meant to her. She rose and went into the house and was busy in the little kitchen when her father stamped up the steps. "Got to get my things together for work to-morrow morning," he said. "Have you seen my boots, Fran?"

"I'll get them and oil them for you this afternoon," she said. "What's the job?"

"The court has ordered a new survey of those infernal springs on the Lazy Y ranch," said Wemys. "I made one about five years ago. I don't see why they can't use that map. I saw Judson goin' down the street," he said. "Was he here?"

Frances was certain that any news that her father got of Tom would promptly be relayed to Devers. She didn't like to lie, but now it seemed necessary. "Peter Judson here?" she said amusedly, and laughed. "What in the world would he do here?"

Wemys grunted. "Same thing he does every other place," he said. "Stick his nose in someone else's business."

She heard his door close, then she heard a loud plop of a cork being drawn. She banged open the room door, snatched a full whiskey bottle from her father's hands and sent it crashing through the window.

"I'm going to stop this," she said passionately, "if I've got to tear the house down nail by nail."

And Ben Wemys, who thought he knew his daughter, stood staring after her in silent astonishment as she went back to the kitchen.

Judson, back in his office, found Marvin and Leeper still waiting.

"You tell Tom," he said, "to stay where he is. The survey of the springs is to be made and we're trying our best to keep Wemys sober. If we can do that we'll get at least an honest survey. I'll keep you informed about the Gatewood case. You'd better keep out of town as much as you can. People are sure to assume that you're a go-between between Tom and me."

They headed back to the Lazy Y feeling that little had been done, and late that night Leeper found his way back to Coyote Caves where Tom almost jerked him over the edge of the cave and demanded news. Leeper told him.

"They're plannin' to make that survey tomorrow," he said. "Wemys makes it. Frances is tryin' her darn'dest to keep him sober. We'll just have to wait and see what happens. There's a rumor too, that I picked up from Judson, that Cargan and his son

and a lot of men, that Devers has got, are simply holding the sheep herds across the range waiting for the result of that survey. That means that they know damn' well what that survey's goin' to show."

Tom rose and walked up and down the cave.

"It's only three miles to Deep Hole Springs," he said. "I'm goin' over there. I want to see if that wire's been cut again. You fellows want to come?"

Leeper's hot protest that he had driven sixty miles and walked four in the last twenty-four hours went unheeded. The three men slipped down into the canyon, and by devious paths known of old, Tom led the way to the distant hill-slope from which, in the faint light, they could see below them the dark mass of Deep Hole Springs.

CHAPTER XIII

BELOW them in the moonlight the yellow grassland stretched away on a gently falling slope for miles. In good years that slope was covered with a dense carpet of prairie grass that stood stirrup-high, but the long drought had almost stripped the range except of grass cured into natural hay. The whole valley was cut and recut with narrow cattle trails leading to the springs, and the three men, squatting on the hillside, saw dark dots and lines where thirsty cattle moved in towards the water. The wire fences that, from time to time, Marvin put up enclosed the Deep Hole Springs themselves, but left unfenced a tract of several hundred acres cut and intersected with a thousand little runnels of dark water that was more precious than gold. That water dropped out of sight and like so many streams in the Southwest, followed underground strata of clay, but this long continued drought had made a thirsty land. Every drop of that water was absorbed and the once full stream-bed was six inches deep in dust. It was the fencing of those central springs to which Cargan objected. If he could steal those main springs he would have an unfailing water supply.

They picked their way down the slope, splashed noisily across the morass and followed the wire for perhaps a half mile.

"It's been cut again," said Tom. "Look! Yonder is the monument that marks the property line; the east side property line of the Lazy Y."

He pointed to a great stone monument that Sam Marvin and Tom Frayne, Senior, had painstakingly erected years before. It was simply a huge stone post some six feet high and about two feet square, built of rough stone cemented into place and had been whitewashed from time to time so that it stood up like a signpost.

"All the monuments on this east side are made of stone," said Tom. "It's the important side. After you get out of this valley, all the other corners are marked with charcoal."

"What the devil did they mark them with charcoal for?" asked Leeper.

"Out in this country," said Tom, "where wood is scarce, you've got to find some permanent way to mark a property corner. They bury about a bushel of charcoal and cover it up. You can't mistake that when you find it....There's somebody over there," he said. "Who is it? Some one is ahead of us. Quiet, men."

He pointed to two figures that bulked big in the dim moonlight. Then they heard the men ploughing their way through the shallow water and an occasional sharp oath as one of the two stumbled into a deep hole. They were heading straight for the stone monument that marked an angle of the eastern line. The three men, hidden in the undergrowth, watched closely. At a hundred yards away, even in dim moonlight, there was no mistaking those two men.

"It's that damn' man Cargan," said Tom. "And that's his son, Oscar with him. I wonder what they're here for. No good, I'll be bound. What's that he's got with him, a shovel?"

Each man bore a shovel and the younger man a pick as well. They stopped by the monument, leaned their tools against the base and paused to drink from a bottle that Oscar Cargan produced, then the waiting men saw them search around in the grass and old Cargan drove the pick into the ground. His voice rumbled clear and distinct through the night.

"Go back and bring up the men and the stuff," he said. "We'll sink it right here. We can't trust that drunken fool, Wemys. We got to put it across on him."

Leeper's elbow jarred into Tom's ribs.

"Keep your ears open," he said.

Then Oscar Cargan scurried back in the

moonlight and old Cargan set to work methodically with a pick. They could hear his deep breathed "Huh....huh," every time the pick struck. For at least an hour those three men lay on the hillside. They saw Cargan deepen the hole to waist depth and they saw Oscar Cargan reappear with two Mexicans carrying a long pole, from which hung some heavy object. Then, whatever it was, was dumped into the hole and the dirt was hastily shovelled into place. A hasty glance at his watch told Tom it was long past midnight when they saw the four men edge into the brush and disappear. Then came the clatter of wheels and the roar of hoofbeats as Cargan and his party departed.

"I'll be damned if I see...." began Leeper, rising to his full height. But Tom pulled him down again.

"Give them time to get away," he said. "I think I'm beginning to see now. Persons," he said, "you get back to the ranch-house and get a spade and pick and bring them over here just as quick as you can. Hurry, man. We'll wait for you right here."

PERSONS was gone at the word and the two sat down to await his return. The quick volley of his horse's hoofbeats was muffled in the grass as he rode up and dropped pick and shovel at Tom's feet.

"Did you wake anybody up?" asked Tom.

"No. I stole a horse and saddle and I got the tools off of Pot-belly's back porch. He'll be so damn' glad to miss them he won't say anythin' about 'em. What you goin' to do now, Tom?"

Tom shouldered pick and shovel and led the way to where the two Cargans had been at work. Persons and Leeper followed him wonderingly. This was sheer, rank folly, they thought, but Tom soon undeceived them.

"Before we start to work, let me explain," he said. "I happen to have had in the Army some special training in map makin'. Not much, but a little. This survey of the Lazy Y was made originally with a magnetic compass. The title deeds say so. You all know that a compass needle is supposed to point straight north. As a matter of fact, there are certain places in the country where the compass needle does point directly to the north. A line drawn connecting these points is called the line of no variation. It's mighty crooked from south to north. At any point east of that line the compass needle swings to the west of true north. At any point west of it the compass needle swings to the east of the true north. If I'm right in my guess, we'll find that Cargan has buried something in that pit, iron probably, that'll draw the compass needle away from the line of true north. That means that when Wemys makes his map, his lines will be incorrect because his compass needle has been deflected by what he has buried in that hole. We'll darn soon see. That monument marks the southern end of the course that forms the eastern boundary of the Lazy Y. Take that pick, Persons, and we'll find out what they buried."

Panting and sweating, with some profanity, the two men dug.

"It's the damnd'est country I ever seen," said Persons. "Every stone you try to dig out is on top of two others. I wish this was Cargan's grave I'm diggin'."

"What's that you got, Persons?" Tom leaned forward at a sharp oath from Persons and they scratched aside the loose earth and shale.

"A hundred pound anvil," said Persons. "Here's some loose horseshoes too. What the devil was the man after?"

"Huh." Tom stood staring thoughtfully at the anvil. "They've got enough iron there to pull the North Star out of its orbit. We've proved one thing at least, that is that old Ben Wemys is honest. Cargan wouldn't have taken the trouble to bury this anvil to deflect the compass needle if he could've bought or intimidated Wemys to do a crooked job. I'm glad of that. Now, look here, I want to show you something."

He detached a little compass from his watch-chain and held it out on the palm of his hand. He walked away fifty yards and bade them observe the compass needle. It swung to and fro and finally settled to rest. Then he walked back to where the anvil lay and held the compass close to it. The needle chased round and round like a cat chasing its own tail, and finally settled some fifteen degrees off the true north.

"That," said Tim, "is exactly what they're figurin' on. That'll throw that property line from this point fifteen degrees to the west of Deep Hole Springs. That'd put Deep Hole Springs outside the lines of the Lazy Y on Cargan's land."

"Well," said Leeper. "What about it? What're we goin' to do?"

Tom grinned at him and even in the darkness they could see his shoulders shaking.

"Move the damned anvil to the other side," he said. "Throw the compass needle the other way. Wemys don't know anything about this, of course. Wemys was to make an honest survey and that honest survey was to show the springs outside my property lines. Now Wemys will make an honest survey and the springs will be well inside my property line and Cargan will have double-crossed himself."

He walked to the other side of the monument and, working with a spade, carefully skinned off the tough sod. He laid this aside and with pick and spade they dug a deep hole immediately alongside the monument and in it placed the anvil.

"It only needs about two inches of earth on top," said Tom, and then replaced the sod. "Now," he panted as the job was done. "I think that'll come doggone near to settling the matter of the springs."

THE old hole was filled in carefully and all extra dirt removed and when the last shovelful had been carefully carried away Tom turned to his two companions.

"Cargan has cut his own throat," he said. "My guess is that they'll send Wemys out, probably with his own men, to make the survey, and they'll never let him know this matter of the anvil. When Wemys makes his map, Cargan loses. He won't dare say a word about the anvil. As soon as this survey is made, we'll come back and put the anvil right back where we got it from. Then we'll have Judson tell Devers that Cargan short-changed him. I see the beginning a very nice little plot."

"I'd ruther see a quart of coffee and a stack of hotcakes," said Persons. "An' right now old Pot-belly'd look pretty to me and he's about as homely as a hippopotamus."

Marvin stood astounded as the three men and the pony came into the kitchen of the Lazy Y, and when Tom told him what had taken place, the old manager gave way to unlimited mirth.

"Still," he said, "you got no business away from those caves, Tom. You get back there just as soon as you can. I'll send a man in for Judson and tell him to come out as soon as he can. I haven't got much confidence that we'll find out anything about Gatewood, but sure as hell we'll put a crimp in Cargan and Devers."

"My guess is that Cargan planted that iron after consultation with Devers but unknown to Wemys," said Tom. "Wemys made a survey some five years ago. He knows his business and if he's sober he'll be prompt to notice the difference between his old survey and this one. Therefore, they'll try to bring Wemys out here drunk to make his survey. That's just a guess, but I feel sure the guess is good. I'll tell you, Sam." He turned to Marvin. "Send a buckboard for Judson. Tell him to come as soon as he can and to bring with him the latest dope about the Gatewood affair. I can't be running around the rest of my natural life waiting for somebody to shoot me or arrest me. That Devers-Cargan gang has either got to fish or cut bait."

In something less than ten minutes the ranch buckboard was off to Palo Verde with the note for Judson, and Marvin and Tom settled themselves to wait.

Marvin dragged a pile of old account books from the wall safe and spread a map over the table. That map was criss-crossed with red and black lines, enclosing areas of drought and pasturage.

"You can see about what I've done, Tom." The old manager dropped on the map a finger as horny as a horse's hoof. "There's no question about it. Our stock has been rustled. Stolen right and left. The hell of it is that with the low price of beef we've had to cut down our payroll. We've only got seven men now where we need fifteen. I'm almost afraid of what the next round-up'll show."

"But what becomes of the stuff?" asked Tom.

"God knows," said Marvin piously. "And He won't tell. The cows calve in the upper valley and the calves drop out of sight. Young veal sells in Crescent City for almost less than a skunk skin brings ....Unbranded, of course. I've seen a half dozen of the carcasses and each one shows bullet holes but no brand. There's nobody at this end of the valley except those damn' sheep herders of Cargan's across the range."

"But they're Mexicans," Tom objected. "They'd be afraid to rustle stock."

"If Cargan brought Sourdough Brenam

to Palo Verde with his gang," said Marvin, "it's quite likely that he has another gang operating on the far side of the hills. It would be no job at all for a couple of men to sneak through one of those canyons, drive off or shoot down young stock and get away with it. It just happens, too, that this drought has raised hell with our stock. I can show you a half-dozen places where dozens of cows are wedged fast in little, narrow arroyos. Poor, thirsty devils! They get stuck tryin' to get to water in valleys where there ain't any water. Cows are just like people," he said. "They'll go to Jaw Bone Creek in July for water 'cause they found water there January three years ago."

TOM studied that map and the stock books. He slapped open the ranch letter-book and studied that.

"Can't you make some kind of a compromise with the big ranchmen down in the valley?" he asked. "Let them bring their herds up to our water. . . ."

"That damn' court injunction," said Marvin. "I was aimin' to lead a dozen acequias from the springs out across the flat land so a dozen herds could water. We had to wire the springs to keep the source of supply from being trampled. If we lose those springs, Tom Frayne, we're busted higher than Gilderoy's kite. Can you think of anything that we ought to've done that I haven't done?"

"Only one thing." Tom hooked his thumbs in his pistol belt and grinned up at the old man. "Somebody ought to shoot Cargan and Devers," he said. "How are you fixed for money, Sam?"

Marvin tried to dodge the question, but Tom pinned him down.

"Look here, Sam," he said. "You own one third of this ranch. Have you been tryin' to pay the expenses and cut down your own share? Is that what you've been doin', you old scoundrel?"

The door slammed behind them and Pot-belly came in, bearing in his hands a huge, brown, earthen teapot.

"Seein' you two was in here I come right in," he said. "I got a little money here I'd like you two to take care of." He poured the contents of the teapot out upon the map. Several rolls of paper money and a score of gold pieces rolled out with a collection of small currency.

"What the devil does this mean, Pot-belly?" demanded Tom.

Pot-belly posed belligerently in front of the fireplace.

"I've got no use for the darn' stuff," he said. "I knowed Sam was havin' trouble with his payroll this month. Y'all take it an' play with it. I'll let you know when I want it back."

Tom almost choked. This was friendship as he had known it in the old days. As long as Tom Frayne, Senior, had lived, no man on the Lazy Y payroll had ever lacked a friend. Tom looked at old Pot-belly, an unlovely figure with tobacco drooling from one side of his mouth, his steady eyes fixed on Marvin, then he pushed the money back at him.

"I can't take your savings, Pot-belly," he said.

"Why not? Anybody in the gambling halls would take it and be darn glad to git it. I'd ruther gamble on the Lazy Y than I would on a crooked faro layout. You take it or I quit."

Something in the old cook's voice made Tom change his mind. He counted the money, scribbled out a receipt on a half sheet of notepaper and handed it to Pot-belly, who promptly picked up a broken cigar, licked the receipt around it, struck a match and lit it.

"Now," he said, "we know exactly where we stand, and the bunk-house knows, too. Bunkhouse, cook, and manager are all for the Lazy Y. If one goes bust, by God, we all go bust. That suit you, Sam?"

"No. You darned old scoundrel, that don't suit me," said Marvin gruffly. "You get out in that kitchen and get those cobwebs down that I told you about."

Pot-belly eyed him commiseratingly.

"They ain't been there long enough," he said. "You know the way I clean that kitchen. Then spiders spin them webs upside down. You think I'll git up on the ceiling upside down to clean them out? I just wait till they get loaded up with dust and then once a year I burn 'em out. You let my kitchen alone, Sam Marvin, or I'll pizen you some day when you least expect it."

"You've been doin' it for thirty years," said Marvin. "I reckon an overdose is all that saved me. Get out of here."

And Pot-belly departed. When the door closed behind him, Tom straightened up and a glance passed between him and gray, old Sam Marvin who had been on the Lazy Y for more years than Tom had lived.

"Now," said Marvin, "you got an idee, Tom, of what your home-coming means. I reckon there's only one thing we can do right now, and that's to wait for that buckboard to come back with Judson."

They disposed themselves to wait.

CHAPTER XIV

IT WAS dusk when the buckboard clattered in with Judson. They almost dragged him inside the office, but before either man could speak, Judson thrust a note at Tom.

"It's from Fran Wemys,' she said. "She wants to see you, Tom. She said it's important."

Tom ripped open the envelope under the carefully casual gaze of Judson and Marvin.

"Dear Tom (it read),

"Come to Mrs. Tyson's ranch tomorrow. I must see you. It may be important."

That was all. He pocketed the note and turned to Judson, demanding the latest news.

"I haven't got much," said Judson. "But what I've got seems to be important. It's about those confounded sheep of Cargan's. There's no question about it. Devers has sent men in to the west of the mountains. They went in by way of Black Water and Dry Pass. The telegraph operator over at Jaw Bone says there are about eighteen of them and some of Brenam's men are with them. Wemys is all set to begin tomorrow on that survey. I told Fran to keep him sober, but she couldn't do it. The darned fool is drunk again. You better get over to Mrs. Tyson's as early as you can and find out what Fran's got to tell you."

"Wait a minute." Sam Marvin moved heavily towards the office safe. "While we're all three together, I want to lay all my cards on the table. You, Tom, were away when your father was shot. I never wrote you the details. Judson, you remember how old Tom died. . . ."

Judson's eyes snapped open at the word "shot."

"It was reported," he said, "that Tom Frayne was dragged to death by his pony. Now you say he was shot."

"Yeah. I'll say more than that and I'll prove what I say."

Marvin pulled open the safe door, took some articles from a drawer and turned to face them. His mouth under his gray moustache was almost a straight line, and his gray eyes, alight a few minutes before with kindness and humor, settled on Judson in a concentrated stare. Their pupils contracted in the light exactly as a cat's eyes do.

"I'm goin' to spread the whole damn' thing on the table like a faro deck," he said. "Tom Frayne bought this Lazy Y ranch nigh forty years ago. It was part of a five hundred thousand acre Spanish grant. Deep Hole Springs, as we call it now, was the only permanent water supply in times of drought, so Tom picked his land to include Deep Hole Springs. He needed money, so he took me into partnership at a one-third interest. Then you were born, Tom, and your mother died, and I moved up to the ranch-house to live with old Tom. About that time, Cargan and his son drifted up from Mexico. There was just one neck of land that stuck into our holdin's near Deep Hole Springs. We never bought it in or took it up 'cause it had no special value. Cargan bought it on scrip. That is, he got a nester to homestead on it and then paid him a hundred dollars for the title. It wasn't worth a damn except as a basis on which to start his lyin' suit for Deep Hole Springs. Then Devers and Cargan got into the sheep business. They made a racket of it. They could buy ewes in those days for a dollar and a half. Cargan and Devers bought a lot of sheep and turned them loose beyond the mountains. You know a herd increases about eighty per cent a year. Then Cargan brought suit about the springs. That suit dragged on for years and cost a lot of money. The bottom dropped out of the cattle market and we had one hell of a time. From time to time, when we had any extra money, we invested it in government bonds. We kept them unregistered so we could use them for collateral at any time for money. About that time old Tom went on a trip and he and Senator Fargus made a deal about some oil leases or minin' stock, I forget which. At any rate, Tom lost a lot of money. He went to the bank to borrow thirty thousand and they wanted collateral. He gave them a mortgage on the ranch and borrowed money on a note. That mortgage was only given as a temporary security until he could get the bonds from the safe and take them to the bank. He left here on the seventh of May six

years ago with the bonds in his pocket. I was sittin' at dinner when I heard his horse come up to the corral. The saddle was covered with blood and the pony had slipped a stifle joint. I back-trailed the pony and found old Tom's body down on the trail where it crosses Dry Wash. I reported his death as due to bein' dragged. I did that 'cause, as I've already told Tom here, I intended to trail that murderer. The only people who know how Tom Frayne died are we three and the man who killed him. Some day he'll show his hand. I never saw a trail yet that couldn't be followed if a man keeps his eyes open an' knows where to look. One of two things is certain. . . . Either that murderer has left the country or else he's darned uneasy 'cause he knows that I know how Tom Frayne died. Here's how he died."

HE LAID on the table a sheaf of papers, a small empty cartridge-shell and a soft-lead bullet. Tom picked up the cartridge-case and bullet and examined them.

"Thirty-two calibre," he said. Then he examined the bullet, handling it very carefully. Last of all he picked up the papers. . . . . Three letters, a postcard from himself to his father, and a receipted bill. They were held together by a rubber band and the package was pierced in the very center with a small, round hole with blackened edges.

"Those papers were in his left waistcoat pocket," said Marvin. "Tom was shot right straight through the heart. My figurin' is that the man who shot him was within about five feet of him. There were no powder burns on his clothes. . . ."

"But who uses a thirty-two?" asked Tom. "You keep that cartridge-case, bullet, and papers, Sam. When we find the man in this valley who packs a thirty-two, the chances are we've found the man who murdered my father. A man wouldn't carry a thirty-two calibre gun openly. He would carry a small gun like that as a pocket gun. If we find a thirty-two calibre gun in this valley, an arms expert can tell whether that bullet was fired from it. I learned in the Army that a gun leaves on a bullet marks that are just as distinctive as the marks on a man's fingerprint."

Sam Marvin stared at him in amazement. He had never heard of this nicety of science.

"You mean to tell me," he said doubtingly, "that a man can state positively whether or not a bullet was fired from a certain gun?"

Both Judson and Tom confirmed it, and Marvin stood wondering.

They spent most of that night in an aimless discussion. Nothing could be done in the open until Tom was free to come and go as he chose, and that could not be as long as the charge of Gatewood's murder hung over him. Sun-up found him heading for Mrs. Tyson's ranch, the Bar Horse Shoe, that lay two miles to the west of the main trail, about halfway to Palo Verde. From time to time as he passed along that trail he saw on the mesquite-dotted open range bunches of cattle, gaunted by thirst, many of them so weak that they could hardly reach for the succulent mesquite beans that cattle eat as flies eat sugar. He pulled his pony to a halt on a bare ridge and scanned the broad valley before him. He knew that three good drenching rains would carpet that valley as with a green fleece, that poppies, red and white and yellow and squaw pink, and Indian paint brush and little prairie daisies would gem the entire flat. Then he looked at the sun whose red hot ball held a dire threat. No hope for rain there. He thought of Sam Marvin's plan to run acequias from Deep Hole Springs down the valley. That was feasible at least, for each acequia could be opened and the land to each side be flooded, but he could only do this if sheep were kept out of the valley. That water was the life blood of the valley and man does not give away his life blood for strangers, he thought as he headed for Mrs. Tyson's ranch.

The Bar Horse Shoe ranch lay two miles off the trail. A square adobe house built about a patio. The walls were painted white and a red tiled roof seemed to almost flash in the sun. Tom rode up to the corral, drew his reins over his horse's head, and headed for the patio where he found Mrs. Tyson bending over some sickly geranium plants that she was cursing vigorously.

"I don't know why I monkey with these damn' things," she said. "They drink water like a thirsty calf. They smell like a dead fish, and they ain't fit to eat. You go in the house, Tom. You'll find Fran in the dinin'-room. Dinin'-room, hell," she said vigorously. "I never had no dinin'-

room till I made money. I ate in the kitchen. I never could see why a man can't eat where he sets. All this totin' an' cookin' an' washin' makes me tired. What I says is, use tin dishes an' let the dog lick 'em, then you can wash 'em in cold water....But, no....Fran Wemys comes out here to spend two days and a night and everythin' is upset. She's just like a preacher. So help me, Tom Frayne, when that bishop come over here to stay las' month, all my chickens took one look at him an' broke for shelter in the henhouse. Go on in the house. Wait a minute." A pull at his elbow stopped him and he turned to face her. "Look here, Tom Frayne," she said, and there was a queer timbre to her voice that Tom had never heard before.

"Anythin' between you an' Fran Wemys?" she asked. "Don't forget, Tom, that I've knowed Fran since she was a little red-haired kid and I've knowed you longer. I ain't aimin' to see that girl hurt, Tom Frayne, an' most of all I ain't aimin' to see you hurt her."

TOM'S eyes found hers in steady approval. "You'll never find me hurting Fran," he said gently, and he strode off to the house, leaving Mrs. Tyson staring after him and gravely nodding her head like a toy Chinese Mandarin.

As he entered the room Frances met him with extended hands. She pulled him to the table and hurriedly brought breakfast from the kitchen while Tom's gaze took in the entire room. It was a queer room, for Mrs. Tyson was a queer person. The room was painted a brilliant robin's egg blue, Mrs. Tyson's idea of the last touch of refinement. Fran came back from the kitchen with coffee and hotcakes.

"Eat those," she said. "I've something to show you." She went to her room and was back almost instantly with some folded papers in her hand. She seated herself at the table opposite Tom and he looked up expectantly.

"Well, Fran, dear, what's the trouble? Anything I can do?"

"Yes." She half rose from her seat and thrust the open paper before him.

"They've offered five hundred dollars reward for you, dead or alive, Tom. These notices were got out yesterday. I wanted you to learn of it at once. That's why I sent that note to you. Oh, Tom, do take care of yourself. Don't let them get you. I'll keep in touch with you through Peter Judson and let you know whatever I discover. I would like to know who killed Sheriff Gatewood. We'll find out in time."

He took the papers. There were two placards, one was issued by the county, offering five hundred dollars reward for his capture, dead or alive. The other was a handbill, offering the same reward and was signed, "John Devers."

"Thanks, Fran." He kicked his chair free behind him, vaulted over the table and before Frances had any idea of his intention she was swept into his arms and suddenly kissed. Before she could free herself, the door opened and Mrs Tyson stamped into the room.

"A pair of mules broke out of the corral," she said. "Give them damn' mules an openin' and they think they own the earth. Heigho." She eyed Frances, standing in the circle of Tom's arms, and she burst into a cackle of laughter. "Cakes, coffee, and courtship," she said. "I never thought I would catch you two goin' into a clinch in my dinin'-room. You let me tell you somethin', Honey." She turned on Frances. "Before things go any further, you make him put in a windmill and pipe water into the house on the Lazy Y. Right now it listens good to think of your carryin' water for Tom Frayne, but come winter ten years, it'll be a damn' sight different."

Whereat, Frances burst incontinently into laughter.

"You've changed this room, Mrs. Tyson." Tom tried to stop the acid flood of comment that he knew would follow. "Where did you get that picture?" He pointed to a huge chromo on the wall on which was depicted a man in a bright red robe, carrying a lamb in his arms, with, underneath it, the label 'There were ninety and nine.'

"What're you doing with a picture of a Bible story?" he asked.

"I got it for soap coupons," said Mrs. Tyson, "and I knowed a red picture would look good on a blue wall. You say it's a Bible story, Tom? I never had time to read it. What's the story?"

"There was a shepherd once who had a hundred sheep," said Tom. "When he went to put them in the pen at night he found he had lost one, so he left the ninety and nine and set out to hunt for the one that was lost."

"The hell he did." Mrs. Tyson, who raised cattle, waxed indignant. "That's just about as much sense as them sheep folks has got. Didn't even think that while he was huntin' up one, the coyotes would raise hell with the flock. What the dickens are you two laughin' at?" she asked. Then she picked up a carving knife and advanced on Tom. "I see by that 'ere paper," she said, pointing to the placard, "there's five hundred dollars offered for you dead or alive. If I was Fran I'd cut your fool head off right now. Ten years from now it won't be worth as much to her. I know, 'cause I'd had five."

"Five heads?" demanded Tom incredulously.

"No, you poor fool. Five husbands. There wasn't the makin's of one good head among them."

"Fran," said Tom suddenly, "how about your father? What's he doing? I know he's got to make that survey. Why doesn't he like me, Fran?" he asked suddenly. "He used to."

"I can answer all them questions," said Mrs. Tyson curtly. "Him an' John Devers an' Cargan is tryin' to drink up all the liquor in the county and Ben Wemys don't like you 'cause John Devers told him not to. Likely Fran won't tell you, but I will. Devers wants to marry her."

"He's to make that survey tomorrow," said Frances hurriedly. "I heard them making arrangements. And, Tom, there's another thing. That man Brenam that you fired out of town sent a lot of men into the ranges west of the mountains by way of Black Water. Dr. Jones told me that Brenam was in Palo Verde. He was swearing that he means to shoot you on sight. What can you do to clear yourself of the charge of killing Gatewood?"

When Mrs. Tyson had left the room, Tom told Frances what Marvin had said. The girl sat, frankly astounded. Like everyone else in Huisache Valley, she had accepted as true the story that Tom Frayne had been dragged to death by his pony.

"Then the whole thing hinges," she said, "on finding the man who carries a thirty-two calibre pistol."

"That's it exactly....Well...." Tom rose. "I'll be getting back to the Lazy Y and then back to the caves."

This time Frances made no attempt to avoid his kiss. She came frankly into his arms and then stood watching as he swung into saddle and headed north to the blue line of the foothills.

CHAPTER XV

THAT PLACARD, lying on the table before Marvin and Judson, stung both men to frenzy. They had expected trouble of some kind but were not quite prepared for this.

"Damn it," said Judson hotly. "That means that any little Dry Farmer who's got a gun and needs five hundred dollars can get the money by dry gulching you. You're an open ticket for anybody who's got an itching trigger finger."

"Only for a while," said Tom. "And you can't shoot a buck till you see it. In the meantime, I think I'll do a little backfiring. You find out, Pete, who started this business with this placard and let me know as soon as you can. In the meantime I'll pack some more grub and get back to the caves."

The buckboard took him to within a half mile of the canyon and he worked his way by crooked trails to the mesa above the caves. Descent was easier than ascent, and it would leave less trail-sign. He scrambled down to the caves and dragged his supplies after him, to find Leeper and Persons sound asleep.

"I know now how one of those white owls feels in a prairie-dog hole," said Persons. "I hope they don't catch us the same way they catch them."

Leeper looked his question.

"When I was a boy," said Persons, "there was a prairie-dog town on our place and in them prairie-dog holes prairie-dogs an' rattlesnakes an' white owls all lived just as friendly as a man an' his wife's mother and his father's grandfather. They was fightin' like hell all the time. I would go through that prairie-town an' see the white owls settin' on the mounds. I've tried to ketch 'em an' I tried to shoot 'em but I couldn't get one. Finally an old cow-hand told me how to ketch 'em. 'If you watch them birds,' he says, 'you'll see that when you walk past 'em, they just keeps their bodies right straight but they turn their head to watch you. Now you just walk round and round and round,' he says, 'an' the bird'll twist his neck till he's unconscious. Then you kin pick him up.' "

"I'll twist your neck till you're unconscious, you damn' fool," said Tom curtly.

"I want you two to come with me the first thing in the morning. They're arranging to make that survey of the property lines tomorrow and we want to find out what happens. Look at these, will you?" He laid before them the placards that Frances had given him.

They eyed the placards, they eyed each other and they eyed Tom.

"I'm not much of a lawyer," said Tom. "I'm leaving that angle up to Pete Judson, but it seems to me that when one private citizen offers a reward for the death of another private citizen who has never been convicted of any crime, that he is an accomplice before the fact of murder. At any rate, just as soon as I can get to Pete, I'm goin' to offer a reward for John Devers' head. I'm goin' to offer one dollar. That's the price of a coyote scalp."

Leeper rocked with laughter. "You'll damn near laugh him out of the county, and John Devers can't stand bein' laughed at," he said. "What time do you want to leave the caves in the mornin', Tom?"

"While it's still dark," said Tom. "We've got to be hidden above Deep Hole Springs where nobody can see us and stay there most of the day."

They woke before dawn and sun-up found them safely nested under a mesquite clump on a slope above Deep Hole Springs. The four figures of the two Cargans, Devers and Wemys stood out sharply against the yellow background of the dead grass. A Mexican drove a buckboard behind the party as they toiled along with four Mexican peons, clearing away brush and grass to allow two chain men to measure the distances. Tom had gone over those distances so frequently with Marvin in the last few days that he knew them almost by heart.

"They've gone back a hundred years in their method of making that survey," he said. "The old deed said 'so many chains.' "

"Well, what of it?" asked Leeper sharply.

"In 1857, when the first survey was made, a surveyor's chain was sixty-six feet long," said Tom. "Today it's a hundred. Wemys will take that old deed, make allowances for the deflection of the needle from the true north for seventy years, make the correction, and re-run his survey. Five years ago he made a survey of the same tract, Sam Marvin tells me. That means his survey today has got to check up with the one he made five years ago and with the original survey that located the property lines of the Lazy Y. If he varies by ten minutes in direction, ten feet in distance, his survey will be thrown out of court. A sober man couldn't do it and . . . Look there."

They saw Devers pull a bottle from a side pocket of the buckboard and draw the cork with his strong teeth. Then Cargan snatched the bottle and in turn was himself thrust aside as young Cargan fought for his share. Time after time that bottle passed and the watchers on the hill who knew well Ben Wemys' weakness, noted with surprise that he steadily refused to drink. It was, if they could have known, the reaction of the conscience of a decent man suddenly awakened. The pride of a good workman in a good job would not let Wemys drink while on that job. Idle, he might indulge his weakness, but his work stood above all weakness. The real man was not entirely dead in Ben Wemys. They saw the four men squat in the shade of the monument while Wemys spread a paper on the ground that he weighted with some small rocks.

"CHECKING up," said Tom. "His lines this far are probably all right. That iron that Cargan buried would have flung that compass needle off the true north. We'll see what happens now."

They saw the bottle pass again around the circle, then back again, then Cargan threw it aside and produced another while the Mexican peons chopped and cut at the tough grass and cleared a space about the monument. Finally Wemys rose to his feet and with calculated carelessness slammed his great compass into place. It was mounted on a heavy, four-foot tripod and its bronze head glittered in the sun. The watchers on the hillside saw him set it up, level it, sight at a back sight at the point he had left a mile to his rear. Then he steadied the map and painstakingly turned off on the compass the angle for the new course. He took one look through the sights, when Tom saw him scratch his head, take off his hat and again steady the compass. Tom nudged Leeper with his elbow.

"He just can't believe his eyes," he said. "He knows there's somethin' wrong either with his previous survey or with this one. Look, will you."

Wemys called a Mexican to him and gave him an eight-foot rod, striped red and white, then he motioned to the far ridge, a half mile away, and gave some instructions to the man who plodded heavily through the

grass. Tom lay back under the mesquite clump.

"Le' me know when he gets to the top of that ridge," he said. "All hell ought to break loose in about ten minutes."

Finally the man reached the ridge and turned to face Wemys, holding the rod erect. They saw Wemys signalling violently to him to move to the right; then they saw the two Cargans and Devers whose eyes were glued on Wemys. Foot by foot and yard by yard that man with the rod was moved along the slope till finally Wemys' upflung arms made him stop.

"Look, will you." Leeper's fierce clutch on Tom's arm made him wince.

The three men stared down into the valley just in time to see Cargan lash out with his fist at Wemys, then the hot desert wind brought Cargan's bull roar to them.

"You damn' crooked, little tool," he shouted. "If that's the property line it's worthless. You've throwed that line two hundred feet further to the east than the one you done five years ago."

Wemys tripped over the compass tripod and fell, sprawling. The next moment he rose with a heavy three-foot stake, one of a dozen they had brought along to mark corners, and whirled it high in the air. That stake caught Cargan where neck and shoulders join and Sheep-dip Cargan staggered back and dropped. Then Oscar Cargan seized an axe and rushed at Wemys. The little engineer snatched the compass tripod from the ground and opposed Cargan's rush. The ends of those tripod legs were shod with gleaming steel, a barrier that even the half-drunken Oscar Cargan could not pass. His rush slowed to a walk. Then Tom saw Devers draw him aside. A hot argument followed, punctuated with vitriolic profanity and occasional drinks, while old Cargan sat up in the grass with a dazed look on his face, feeling delicately at his shoulder.

While the three men watched from under the mesquite clump, that hot altercation changed into noisy debate, then to jangling argument, punctuated by drinks. Finally Wemys again set up his compass, took a new reading and moved on to a new point, followed by the buckboard and the two men dragging the chain.

"And that," said Tom, "completes the survey that determines the ownership of Deep Hole Springs. We'll get over to the Lazy Y at once," he said. "I want to see Judson before those men get back to Palo Verde. They'll have to spend the night out here."

At the Lazy Y he did not stop long enough to explain to Marvin what he wanted. He and Leeper went directly to the stables and two minutes later Marvin watched the buckboard whirl down the red trail behind two half-wild ponies.

Tom knew he was taking a chance with those placards out, announcing a reward for his capture. Any man would be justified in killing him at sight. It was dark when they reached Palo Verde and Leeper dropped Tom at Judson's.

"Come back when you've had a drink, Leeper," said Tom. "I only want to see Pete for a matter of five minutes." And he crashed open the door.

JUDSON, whose feet on his desk were as high as his head, almost fell over. Then he leaped to the window and jerked down the shade.

"You fool," he said. "You utter fool. Don't you know that anybody this side of the range who wants five hundred dollars, or a thousand, if they take Devers' offer, would pot-shot you on sight. What crazy notion brought you in here?"

"I'll tell you, Pete. . . ." Tom drew a chair forward but was careful to keep beyond the ring of the lamplight . . . "Here's what happened." And he gave him a detailed account of all that he had seen. "Now, here's what I want you to do. In the first place, I want you to swear out a warrant for Devers' arrest. I want him charged with inciting to murder."

Judson nodded vigorously at that.

"I don't care whether the warrant's served or not," Tom went on. "Publish it in the paper. Then I want a placard printed, offering a dollar for Devers' head. You might word it like we used to word the reward for coyotes. "A dollar offered for the scalp or the left front foot.' "

"What the devil is the idea of such foolishness as that?" demanded Judson hotly.

"It'll make him ridiculous and get him laughed at," said Tom. "When a man's laughed at he gets mad, and when a man's mad, nine times out of ten he makes a damn' fool of himself. Do as I tell you. Now, there's another thing, Pete. This matter of the survey was ordered by a United States Judge. You go before Judge Johnson and appear in my behalf as my counsel. Demand from Judge Johnson that Wemys'

notebook be impounded. Show Judge Johnson that Devers and Cargan are partners; that Devers holds a mortgage on Wemys' house, and impress on him the fact that Wemys is in Devers' pay. The only fair and impartial thing to do, since Wemys has already made the survey and got the notes in his notebook, is to have the map made from the notes by someone who is absolutely impartial."

"That's more than fair," said Judson. "As a matter of fact, Tom, was Wemys drunk?"

"No. Let me tell you what happened, Pete."

He told how he had seen the Cargans bury the iron near the monument and Peter Judson, who had lived long enough in the West to have a working knowledge of surveying, sat back and chuckled.

" 'Hoist with his own petard,' " he said. "Just like Shakespeare says. Judge Johnson can't refuse that request. I'm goin' to do more than that. I'm goin' to have Wemys' notebooks impounded and have him required to make oath to the contents of those notebooks. Since Devers and Cargan were with him, I'm goin' to request that they be required to make affidavits too. Don't you see what happens? If the map is accepted as true, Cargan's suit for Deep Hole Springs is forever thrown out of court. If it's false, you'll have suit against all three for false swearing, if it doesn't amount to perjury. It'll take a few days to get that map completed. In the meantime you get back to the caves and lay mighty low. There's your buckboard now," he said as the ponies sat back in their breeching under Leeper's heavy hands.

"There's quite a meeting in the hotel bar," said Leeper. "Cooper was there, and Curtis, the warden of that jail. They were at it hammer an' tongs about our pullin' the wall out of that hoosegow. Seems they've been tryin' to make Cooper admit that he was party to your escape. I got hold of Cooper an' he told me that there's a good bit of talk floatin' around among the nesters and little homesteaders. What you told them about what would happen if Cargan's sheep came into the valley sure did appeal to 'em. From what I can find out, Devers and Cargan and Fargus have got chattel mortgages on darned near all the small places. The small owners are just about ready to throw in with us as soon as they see we really mean to do somethin'. That's about all I got out of Cooper, but it's enough." He leaned forward and poured leather into the startled ponies.

The buckboard crashed down the road, spun around a turn in the trail on two wheels and straightened out on a long tangent for the distant hills.

CHAPTER XVI

ONCE CLEAR of the town, the ponies settled down to a steady gait. From time to time Leeper tried to talk, but got only a muttered "Shut up a bit, Leeper, I'm thinkin'," from Tom. Finally a long-continued chuckle from Tom made Leeper stare at him.

"If you see anythin' to laugh at in this damn' mess," he said, "I wish you'd share it with me."

"That's just exactly what I mean to do," said Tom. "I'm goin' to share it with everybody in Huisache Valley. Hurry up, Leeper. I've got a card up my sleeve that I want to play before mornin'."

That buckboard made almost railroad time and it was not yet midnight when they crashed up to the porch of the Lazy Y. Marvin, heavy-eyed from sleep, met them at the door and after a series of war-whoops, aroused Pot-belly with a demand for coffee. Tom told him of his talk with Judson and then, leaning forward across the table, his eyes gleaming in the lamplight, fairly dancing with a deviltry that Marvin knew of old, he made his demand.

"The two Cargans, Devers, and Wemys," he said, "are camping in the valley. They've got to be near Deep Hole Springs to get water. They're probably about half shot. I want about three men, Sam, who'll go with me, do what I tell them, and ask no questions."

"You goin' to shoot up that camp?" demanded Marvin suspiciously.

Tom roared with laughter. "No. Not by a long shot. I've got other plans afoot. Give me a couple of blank checks, some paper, and a pencil."

For a moment Sam Marvin stared at him as though doubting his sanity; then he got what Tom wanted and hailed the bunkhouse with a mighty roar. "I wish you'd loosen up a bit," he said to Tom. "I'm too old to take anybody on faith, even you." But he did it.

Three wondering men from the bunkhouse saddled quickly and brought up horses for Marvin, Leeper and Tom, and be-

fore the morning star had begun to pale, the six men headed across the mesa towards Deep Hole Springs. From time to time dark masses of sleeping cattle hove suddenly up from under their horses' noses. Occasionally a bevy of quail, kicked out from the long grass, scurried, whistling; once a jackrabbit under a small bush sat erect and regarded them from luminous eyes that showed like headlamps. Then a coyote set up a shrill wailing and sent his note up to the stars and was answered by a deeper note from the distant range where a lone lobo sent up his note against the coming dawn.

Tom pulled his horse to a walk and touched Marvin who was riding with him, stirrup to stirrup.

"Yonder's their fire," he said. And he pointed to a dim glow down in the valley. "You men take your neckerchiefs," he said, "and tie them about your faces. I don't want anybody recognized in this but me. Keep your ponies in the grass and move softly. I want to take them by surprise. I want Devers most of all. While I'm handling Devers, I want you fellows to keep Wemys and the Cargans off my back. I don't think Wemys'll try anythin', but the Cargans will if they get a chance."

The slight noise of approach they made was drowned by the dawn wind in the long grass, and at fifty yards from the fire the six men dismounted and tied their horses in a circle to prevent stampede. The buckboard was drawn up on the flat and by it lay a pile of axes, food, and Wemys' surveying instruments. The four men lay wrapped in their blankets by a small fire. The Mexicans had long since disappeared to seek a sleeping place of their own. Tom gathered an armful of dry brush, stepped across Wemys' sleeping figure, dropped the brush on the embers and held it in place with his foot till the flame caught in a fierce crackle of upflung sparks. The noise wakened Cargan who sat up rubbing his eyes. The next moment he was thrust flat upon his back and a masked man leaned over him.

"Lay right where you are, Sheep-dip," he said. "If you try to get up, I'll plug you."

Sheep-dip Cargan was no coward. Also, he was still half asleep and the words probably did not sink in. He strove to rise, but while he was still upon his knees a fist as hard as a horse's hoof crashed against the point of his chin and drove him upon his back with his arms wide-flung. There was no longer any question of Sheep-dip Cargan's rising.

Lee's booted foot drove into Oscar Cargan's ribs. Lee didn't like Cargan anyhow and he had often longed for a chance like this. Young Cargan rolled over, started to get to his feet, and checked on his knees at sight of a gun muzzle over which he saw in the firelight two menacing green eyes.

"Set down, you young thief," said Lee. "Come to think of it, you might as well lay down on your face. I'll give you 'til I count three. When I say 'three' I shoot. I've already counted two," he said warningly.

Cargan dropped to his face in the grass and lay twitching, while Wemys, utterly at a loss to understand what happened, sat blinking at the firelight. Devers, alone, still lay sound asleep. Tom let him lie for a moment while he turned.

"You, Andrews, watch Wemys here. Jefferson and Lane, take all the guns you can find and pile them here by the fire. You come with me, Leeper. We'll handle Devers. Be sure you get every gun in camp and unload them."

A vise-like clutch on Devers' shoulder made him squirm. He sat up in his blankets and stared about him unblinkingly. John Devers was one of those few people who pass from soundest sleep into full possession of all their faculties. He sat up in his blanket and his quick, unbelieving glance took in everything with the quickness of a camera. The heaped fire in full flame lit the bottom and for thirty yards, and in that circle he saw Sheep-dip Cargan still unconscious, with a serious-eyed old pirate beside him, whose bandaged face defied recognition. He saw Oscar Cargan lying face down in the grass with another man, also masked, squatting by his head. Wemys, the light of absolute disbelief in his eyes, squatted under a bush where a third masked man watched him, while two others moved from point to point, intent on a search of the camp. A quick jerk by one of those masked men brought Cargan's gun from its holster. The shells were ejected and the gun flung aside. Then Oscar Cargan's gun and Wemy's were taken. Devers watched it all. For a moment speech was denied him. Then Tom, the only unmasked man of the raiders, clutched him again. He shook him with a force that could not be withstood.

"We're playin' it to a finish this time,

Devers," he said. "Did you sign this?" And he thrust before Devers' startled eyes a copy of the placard that Devers had signed which offered five hundred dollars reward for Tom's capture, dead or alive.

"There's some hope for a murderer, Devers," said Tom softly. "Even a liar can be reclaimed, a drunkard can be reformed if you do it with a shotgun, but even God hates a fool. You sure are a fool, Devers, and I'm makin' a little visit to your camp just to show you what a damn' fool you are. You're the only man in your camp that's got a gun, Devers. I left it with you on purpose. None of my men will interfere. If you want to shoot it out, just say so. You can walk ten yards the other side of the fire with your gun and I'll go this side. One of my men will give the ward and we start shooting, moving towards each other. Would you rather do that, Devers, or play the game out as it is?"

DEVERS glanced at him. That casual meeting he had with Tom in his hotel room had given him a fair insight into Tom's character. Himself no mean judge of men, he knew that Tom meant exactly what he said. To dominate the Huisache Valley, to get smaller men into his financial clutches, to gradually spin his web to enclose every one who opposed him till he should be the unquestioned dictator of Huisache Valley was one thing; to shoot it out by firelight on a high mesa in this distant valley with this man whom he hated and yet feared, was entirely different. He laughed on a discordant note.

"I'll play her as she lays, Frayne," he said. "This hand at least. But I warn you right now that when I get back, I'm goin' to call for a new deal. Yes. I signed that placard. Your damn' head ain't worth five hundred dollars to anybody but you."

Tom laughed softly.

"Look at Wemys," he said. "Look at Cargan. Sheep-dip has passed out. His son's scared to death. All three of you have been fightin' and drinkin' all day while Wemys' been makin' that survey. I saw you from the hillside. Your four Mexicans are in their own camp and don't know a thing that's goin' on. Suppose you should be shot, Devers, and then the pistol put in Cargan's hand and nobody is in camp except you four. That would get rid of the two of you very nicely."

"You mean. . .?" Devers' voice quavered just a little. He was not nearly so sure as he had been that he could handle events. And what Tom said was true.

"I mean that you never in your life have been so close to death, John Devers, as you are right now. You're a lyin', thievin' crook. . . You've backed Cargan in the crookedest deal that Huisache Valley has ever seen. You've bought that little fool." He jerked a hand at Wemys. "You've made life a perfect hell for his daughter, with the prospect of a hotter hell if you could make her marry you. Why shouldn't I kill you, Devers, and let Cargan shoulder the responsibility for it? Can you give any good reason?"

Devers' tongue passed spasmodically along the line of his lips and his eyes never left Tom's face; while Wemys, who had heard all, drew his breath sobbingly.

Tom's gaze wandered over him, a scathing flame of distrust and frank dislike.

"You're not even as decent as a rattlesnake, Devers," he said. "Any kind of rattlesnake except a side-winder rattles before he strikes. Even a vinegaroon smells bad when he gets mad. Yes. You're like a vinegaroon," he said, at which Sam Marvin was heard to chuckle.

"Read this." Tom held out a crackling paper before Devers' eyes. "You signed an offer for a five hundred dollar reward, tryin' to bribe somebody to shoot me. I've never been convicted of any offense so you stand yourself before the law particeps crimins' trying to induce some stranger to commit a murder. You, a private person, have no more legal authority to offer a reward for the death of a criminal than I have to offer a reward for the death of the President of the United States. I've brought suit against you for that, but now you see in this paper, Devers, where I'm offerin' a reward for your scalp and fore-paw. It's only a dollar, but I figure that's all you're worth, you damn' lousy coyote. By this time tomorrow the county will be flooded with the offer of a dollar reward for just a small portion of your hide. You'll be the laughin' stock of every man from Ennis to Jaw Bone. Every man on whose property you own a chattel mortgage will be enjoyin' the value set on your hide. Oh, by the way, Devers," Tom produced a check and a pencil. "If your head is really worth anything to you now,

you had better sign this check for a thousand dollars and make it payable to cash."

Devers stared at him blankly.

"I mean exactly what I say," said Tom, and thrust a check into Devers' unresisting hands.

Devers examined it. It was made out in due form, payable to cash. It was for a thousand dollars and was drawn on Palo Verde's bank, where Devers carried a big account.

"You're signin' for a thousand dollars," said Tom. "Personally, I think your head is worth about a dollar. No more. If it's worth a thousand to you, sign the check. Otherwise. . .I think you know what'll happen. As I say, if you would rather shoot it out, just say the word."

John Devers glanced about him helplessly. No one could help him, and a duel to the death in that firelight with Tom Frayne, who had just cause for resentment, did not appeal to him. He seized the pencil and signed the check hurriedly.

"You win this time, Frayne," he said. "But this is only one hand."

"I'll draw your teeth right now, you damn' side-winder. If you're afraid to go for a gun, you oughtn't to carry it." And with a quick jerk, Tom unbuckled Devers' pistol-belt and threw it, gun and all, into the pile of weapons that had been gathered. "Put those guns in a sack," he ordered. "And one of you men tie it to your saddle."

Then he drew aside. "Joe," he said, "take your knife and whittle that harness to pieces. Since they're so darned fond of campin' here, we'll just leave them here for a couple of days. I want to have time to get to Palo Verde before they do."

"Huh." Lee began to laugh. "If you want to delay them, Tom, cut the harness to pieces and take their shoes and pants off 'em too."

Tom began to laugh and ten minutes later the four men of Devers' party stood barefooted and half naked, shivering in the cold dawn wind. The sun had not yet risen when Tom's party disappeared over the ridge and headed for the ranch-house of the Lazy Y.

CHAPTER XVII

POT-BELLY PERKINS, waddling in from the kitchen with hotcakes and coffee for the hungry men, stopped in the doorway as a roar of laughter reached him, then he came in and eyed them all unsmilingly.

"I reckon it's dern funny," he said, "keepin' me up all day an' night when you all go galavantin' on picnics and don't even ask me would I like to go too."

He listened avidly to the scraps of talk that passed from man to man. Then Tom laid the check upon the table.

"We'll take this check in right away," he said, "and get it cashed. The bank might hold it up if I took it there, but if Pete endorses it, they'll have to pay him."

"What are you goin' to do with it?" asked Marvin.

"Do with it?" Tom eyed him in astonishment. "I'm goin' to give it to Frances Wemys to pay off the mortgage on her home."

He got no further for the roar of laughter that passed around the table, and Old Sam Marvin, nearly suffocating with laughter, leaned back with a yell.

"That's what I call dern near Divine justice," he said. "Takin' a piece of Devers' hide off one part of his body to patch up a cut somewhere else. They'll be in a pleasant humor when they get back to Palo Verde. I'll take that check in just as soon as I finish this grub. What now, Tom? That fellow Devers recognized you. You've got to get back with Leeper and Persons to Coyote Caves, and this time you stay there till something good happens. What about the guns that you got in that sack?"

"We'll take them with us to the caves," said Tom. "That'll get them out of the way in case a search should be made."

He watched Marvin start for Palo Verde, and then with Leeper and Persons he headed back for Coyote Caves. In less than four hours they had exhausted all the possibilities for pleasure that the caves possessed, and Tom, seizing the sack of stolen weapons, poured them out upon the ground. Five pistols, four belts, and five holsters. Somebody carried two guns. Whose was it?

"That was Cargan," said Leeper. "I've always heard he was a two-gun man. Those two belong to him. Wemys had his thirty-eight calibre, Young Cargan packed this." He motioned to a heavy forty-four calibre six-gun. "Who does that other one belong to?"

"That's Devers' gun," said Tom. "I gave him his choice to sign that check or shoot it out. He passed it up and signed the check. That's his gun."

Leeper, who had been paying scant attention to Tom's remarks, unbuttoned Devers' holster and shook it. The contents rattled like a small pea in a large pod. Then Leeper picked it up and turned it upside down.

"Huh," he said disgustedly. "You tell me you offered to shoot it out with him across the fire. He's a damn' sight wiser than I thought he was. What chance would he've had against your forty-five with this? Sending a boy to do a man's job." And he held out before Tom's startled gaze a nickle-plated thirty-two calibre, six-shot revolver of the bulldog type. The nickel-plating was worn away in places and the handle was chipped and cracked.

Time seemed to stand still with Tom. Words, actions, events, all raced together in his memory with kaleidoscopic rapidity. Just as the broken bits of colored glass in a kaleidoscope fall rapidly into shape and take form under the eye, so did those events, words and actions of the past week begin to take form in his mind. He remembered what Sam Marvin had told him, how Tom Frayne Senior's pony had come home with a bloody saddle, how the rider had been found dead and robbed. He saw again the bullet that Sam Marvin showed him that had killed his father— Calibre thirty-two! He saw that sheaf of papers that had been taken from over old Tom's heart with a lead-blackened hole through the centre. A thirty-two calibre gun was as rare in Huisache Valley as hen's teeth! It was not likely that there was another gun like this in the whole county. He wadded up blankets and clothes into a solid mass and stood the heap against the wall at the end of the caves, while Leeper and Persons eyed him with frank astonishment. He turned on them in explanation.

"Sam Marvin has got the thirty-two calibre bullet that killed my father," he said. "Every gun has its own peculiarities. Every gun, rifle, I mean, or pistol, leaves on its bullet its own peculiar markings. I want a bullet fired from this gun Then I'll have Sam Marvin send the bullets to a police expert. I took this gun from John Devers. If the expert says that the bullet that killed my father came from this gun, then I know who the murderer was."

"BUT why would John Devers want to kill Tom Frayne?" demanded Leeper unbelievingly.

"The whole thing is beginning to take shape pretty well in my mind now," said Tom. "I figure it this way. Devers and Cargan were partners. My father got in some kind of business deal with Senator Fargus and lost a lot of money. He had to raise that money on a moment's notice, so he signed a note and to secure that note he gave a mortgage to—John Devers. Then he came back to the ranch where he had a lot of securities. He was on his way to Palo Verde with those securities in his pocket, when he was killed and the securities disappeared. It's pretty obvious that the man that killed him got those securities and he got them to keep the mortgage from bein' paid off so that he could continue to have a hold on the Lazy Y. Then I find Devers with this gun. We'll soon see."

"It sure looks to me," said Persons judicially, "as if Mr. Devers' got some right tall explainin' to do while he's gettin' his pants pressed in Palo Verde."

Tom rose, took the gun and fired a shot into the mass of clothing against the wall. Then he unwrapped layer after layer until he reached the bullet that dropped out, its shape complete and perfect.

A small-calibre shot-barrelled gun has no particular penetration. Its stopping power is a good deal like a club. Tom took the bullet, wrapped it carefully in a piece of greasy paper from the bacon, and placed it in his pocket.

"I hate to be roamin' all over the country like the Wanderin' Jew," he said, "but this is too important to be neglected. You fellows stay here. I'm goin' back to the ranch, get a pony, and go to Mrs. Tyson's. She can help me now if she will. I'll take Jefferson along with me. I'll send him with a message to Judson to meet me later at Mrs. Tyson's ranch."

They watched him scramble down the steep canyon bank and disappear in the mesquite scrub, and then the two men turned disgustedly back into the caves.

Jefferson, at the Lazy Y, was glad enough to head for town. The ordinary, dull routine of ranch life at the Lazy Y had been thoroughly shattered in the last few days. Every man knew that big events were impending. Every man knew that Tom was literally walking each day in the Valley of the Shadow of Death as long as that reward hung over his head, and the bunkhouse shook with mirth over the tale of how Devers had been made to pay. Jeffer-

son got a couple of ponies from the corral and they headed townwards as the sun was dropping behind Lone Wolf Mesa. When they reached the trail that turned off to the Bar Horse Shoe ranch, Tom gave Jefferson his instructions.

"Tell Judson to come out at once to meet me here at the Bar Horse Shoe," he said. "Tell Marvin where I am, too. Be sure you don't tell anybody else. Find out what you can about anything else that's of interest. Listen especially for any word about the Gatewood murderer. I'm tired of carryin' somebody else's load."

Jefferson nodded, raked his horse with his spurs and was off down trail in a cloud of dust, and Tom turned off towards the anch-house.

Mrs. Tyson, coming from the corral, greeted him unsmilingly.

"You've raised hell, young feller," she said, "bustin' out o' jail, destroyin' county property, and likely raisin' my taxes. On top o' that, somebody shoots Gatewood and you git the blame fer it. Somebody ought to have shot him long ago, but I hate to see you get stung. Then that air placard. . ." She produced a much thumbed paper. "Offerin' five hundred dollars reward fer anybody's head! A man's backbone and two hands is the only thing that's worth a dollar," she said disgustedly.

"Did you see the reward I offered for Devers?" asked Tom.

Mrs. Tyson's mouth creased for the first time in a grin.

"Yeah. And you're as bad as the others," she said. "Payin' too much for a cheap article. Listen to me, Tom Frayne. Fran Wemys is in the house. She's a-stayin' with me. If you want to see the real article that ain't cheap and shoddy, that ain't no imitation, that's good, clean ore from top to bottom, you see it in that girl. Like I told you," she said, "if you ever let that girl get away from you, Tom Frayne, your luck will go, too."

"If she ever gets away," said Tom, "it'll be because she wants to, not because I want it."

"Huh." Mrs. Tyson eyed him from head to foot. "I done had five. Sometimes they left 'cause they wanted to; sometimes they left 'cause I wanted them to. I mind Number Three. He wanted to go to Thunder Mountain, the time of the gold rush, and he wanted me to grub-stake him. I didn't do it, so he took the poke that had all my chicken money in it. It was seven dollars an' fifty-four cents. I tried to stop him but I couldn't, but I got him."

"How did you get him?" asked Tom.

"That old muzzle-loadin' shotgun," said Mrs. Tyson. "I gave him sixty yards law, then I shot. I got him between the corral an' the back gate."

TOM fell up against the corral fence and wiped his eyes as Frances came out on the porch. Her welcome made him a little drunk and Mrs. Tyson followed them into that robin's egg blue sitting room where she listened carefully to every word of Tom's account. He gave every detail of the last few days and when he told how Cargan had buried the iron near the monument, Frances drew a breath of relief.

"What're you puffin' an' pantin' fer?" asked Mrs. Tyson. "Sound like a horse with the heaves."

Fran laughed frankly. "Don't you see," she said. "The fact that they buried that iron there is a tacit admission that they knew that, drunk or sober, my father wouldn't knowingly do a crooked thing."

"Everybody knowed that," said Mrs. Tyson. "I thought likely they'd try to get him drunk, an' you an' me both know, Honey, that if there's any liquor within two miles, they might possibly succeed. Go on, Tom, tell the rest of it."

When Tom told of the check and how he had sent Marvin to town to cash it, Mrs. Tyson eyed him in astonishment.

"What you goin' to do with it?" she asked.

"Give it to Fran here to pay off the mortgage that Devers holds on her house."

And Tom began to laugh, in which presently Mrs. Tyson joined him and Fran herself gave reluctant approval. Tom turned to her with a question.

"Have you heard anything about the Gatewood murder?" he asked.

"Not a thing." Fran seized him by his coat and almost shook him. "You must do something, Tom. There must be some way to end this uncertainty. Things can't go on as they are. Devers and Cargan practically control the majority of the decent men in Huisache Valley; just waiting to run their sheep across the ranges. That terrible man Brenam, who everybody knows is employed by Devers, is just waiting like some horrible buzzard; you with a reward offered for your death or capture. I tell

you it can't go on! Something must be done."

"Here comes the beginning of it," said Mrs. Tyson. She flung open the door as the Lazy Y's buckboard crashed to a halt. Jefferson and Judson catapulted out of it, and Jefferson, only pausing long enough to tie the team, followed Judson into the house.

"Mornin', Miss Myra." And Judson's hat was off. He shook hands with Mrs. Tyson and embraced Tom and Frances in a pervading grin.

"I'm Santa Claus," he said. "And this is Christmas. Tom, here's some money for you. I got Devers' check cashed. The bank didn't want to cash it and old Fulton, the president, fought like a wild cat till I reminded him what Devers would do if the bank dishonored one of his checks. I told him that this money was to pay a long standing debt and if he didn't honor the check within three minutes, I would take legal steps to attach Devers' bankroll. I got the money." And he thrust a roll of bills into Tom's hand.

Tom passed the money over to Fran with, "You know what to do with it, Honey."

Frances nodded and stood eyeing Judson who swept on in eager speech.

"That's only half of it, Tom. Dr. Jones, the coroner, had his inquest several days ago over Gatewood. I've got a copy of the report right here. The coroner's jury found that Gatewood came to his death by a gun fired by some unknown person. They found the shot that killed him was a thirty-two calibre, and your gun, that was picked up off the floor, was a forty-four. The fact that they searched you for other arms proved you had no other arms. That let you out from the charge of murder. Bill Spencer, editor of the paper, has taken the matter up to revoke that offer of money for your capture. The only risk you run now is that somebody may pot-shot you to earn the reward that Devers offered. I've taken steps to bring action against Devers for bribing men to commit murder. That's that! Now there's another thing. Sourdough Brenam is back in town. He's gone on the prod and has sworn he's goin' to shoot you on sight. I'm tellin' you this so you'll understand there's another thing. Sourdough Brenam don't wait for him to go for his gun. You go first. It'll be plain self-defense."

Tom stared at him for a moment, his gray eyes dilated and contracted and his mouth set in a straight line. Frances realized as she watched him, that she did not know this man. This was a new Tom Frayne. Very quietly he picked up his hat, slipped an arm around Frances' shoulder and pressed her to him. Then he turned to Judson.

"Take care of Fran here till I come back," he said. "I'll be back in two hours. Come with me, Jefferson."

Jefferson followed him down the steps and out to the buckboard, and the three watchers, surprised into inaction by his sudden movement, stood staring as the buckboard whirled down the drive and, under Jefferson's stinging lash, turned south into the wide trail for Palo Verde.

CHAPTER XVIII.

NEITHER man spoke till the crazy ponies had laid ten miles behind them, then leaned forward and again poured the leather into his ponies. Only when Tom slipped his six-gun from its holster, drew back the hammer, spun the cylinder, and carefully examined each cartridge, did Jefferson speak.

"What you aimin' to do, Tom?" he asked.

"I'm startin' in to clear off the table," said Tom grimly. "Brenam has made an open threat. He's got to fish or cut bait. If I keep away from Palo Verde, men will say that I'm afraid of Brenam. I aim to live the rest of my life in Huisache Valley and I hope it'll be a long life. If I don't go into Palo Verde right now, people will say I'm afraid and I, myself, won't know whether I am or not. Sourdough Brenam has dealt himself a hand. He's got to play his cards."

It was pay night in Palo Verde and the town was on its toes. Miners, prospectors, railroad hands, cow punchers, teamsters, all drunk and all intent on raising hell. Wagons from distant ranches and small homesteads lined the plank walk.

Every one of Palo Verde's twenty little stores was jammed and crowded, where Mexicans peddled stolen beef for a cent and a half a pound, and where, in the rear of almost every store, a lottery of some sort was run, from the Irish Sweepstake for fifty thousand pounds to a grab bag for the First Methodist Church. Saloon doors swung to and fro with the regularity of an electric fan and the whirring click of roulette wheels sounded clear and distinct.

"Head straight for the Red Dog," said Tom. "They'll know there where Brenam is."

A group of loafers before the door turned and stared at the buckboard as Jefferson snapped a hitching rein to his off horse and looked for something to which to tie it. The board walk stood two feet above the ground and from under that board walk a small post projected. Jefferson deftly cast two half hitches about that post and straightened up in time to follow Tom into the bar. The place was crowded. Forty men jammed against it, and Tom and Jefferson, forcing their way through the crowd, were just in time to hear an altercation between the rough-and-ready bartender and a freshly arrived tourist from the East, of a group that had detrained from Number Seven West Bound, intent on tasting the saltier phases of the untravelled West. Those tourists watched the crowd seep in and ooze back along the bar. Finally: "We would like some drinks here, my good man," said one.

"The hell you would!" My "good man" leaned across the bar, his face dark with wrath. If there is one thing that makes an American furious, it is to call him "my man." My "good man" is only one de-degree worse. No one likes to be called good till he is dead.

"What the hell do you want?"

The tourist leaned across the bar and studied the array of bottles before the mirror where "Cow Puncher's Delight" stood shoulder to shoulder with "Widow's Whisky."

"My good man, what is that 'Widow's Whisky'?"

The bartender leaned forward across the bar.

"Where do you get that 'my good man' stuff?" he asked. "If you're huntin' for trouble, you got it. They call that 'Widow's Whisky' 'cause it makes widows for them that drinks it. You want some?"

"No . . . I . . My friends want a small glass of beer apiece. I'd like an Apollonaris lemonade."

In the hush that had fallen, Lorton, a burly prospector, bearded to the waist, thrust forward and burst like a shell against the bar.

"Apollo . . . Apollo, hell. What you want is whisky in a tin cup." And a gun that seemed as big as caudron spat a mouthful of lead into the floor at the stranger's feet. He downed that whisky with a rapidity that was only exceeded by his speed in leaving the Red Dog. Then Lorton turned and for the first time saw Tom.

Lorton had known Tom Frayne, Senior, and had admired him. More than once old Frayne had done him small favor and Lorton, who was working some mining claims in the foothills, kept his finger pretty well on the public pulse. He whirled Tom aside into a corner.

"Look here, Mr. Frayne," he said. "Ain't you bitin' off more than you can chew? I'd hate to see you get in trouble. Sourdough Brenam is in the cardroom tryin' to get up a game. I heard him say he's waitin' to see Cargan and Devers. Everybody knows that Devers and the two Cargans and Wemys, with some Mexican peons, went out to make a survey on your water. They haven't got back yet. Brenam came into town to see Cargan. In every bar in town he's said openly that he means to shoot you on sight."

"Is he drunk?" asked Tom. "Has he been drinkin'? If this comes to a showdown, Lorton, I don't want anybody ever able to say that I hunted a fight with a man when he's been drinkin' and couldn't handle himself."

"No. He ain't drunk," said Lorton. "If you knew Brenam, you'd know he don't drink much. The pizen in his pouch don't come from liquor. It's his damn' rotten soul fermentin'. He's as full of soda water and ginger ale as the Deep Hole Springs are full of water. If you stuck a pin in him he'd sizzle. Where you goin'?" he demanded as Tom turned away.

A TOUCH on the shoulder made Jefferson stay where he was, then with a final pat to his holster, Tom passed the whang thongs about his right leg and tied the holster down to his leg.

A semi-hush had fallen in the crowded room. Men edged back to right and left against the bar and against the gambling tables, leaving a clear line from the front door to the little cardroom where Gatewood had been killed. The moment Tom turned the corner of the bar and started down that narrow line, the door of the cardroom flicked open and Sourdough Brenam stood in the doorway. A swinging lamp in the cardroom cast a circular shadow on the floor. For a second Brenam stood staring at Tom as though he could not believe his eyes. Followed an inarticu-

late roar. Then he threw up his hand and both men stopped in their tracks. "Are you Frayne?" he asked. "I'm wantin' to make sure."

"Be sure," said Tom. "I'm Frayne. You can go to it when you like, Brenam."

A voice shrilled out in the silence.

"Hey, you two! Wait a minute!" And old Sam Webster forced his way out of the press. "If you two got to have it out here, do it decent and orderly. We don't want no bottles broke. Stand where you are," he cautioned Brenam who was edging forward. "Jake!" he called to the bartender. "You count three! One . . . two . . . three! Just like that That suit you two heroes?"

The crowd broke for cover Men struggled for the safety of the bar and to get behind the billiard table. A few even fell on their knees, unusual posture in Palo Verde, and Jake's voice began to toll. "One . . . "

"Hey, mister," a voice hailed Tom. "If God's good to you, you shoot when Jake says two and a half."

A roar of uncertain laughter went up, then the crowd, striving to watch both men, was dimly conscious of a flashing roar from Brenam. It seemed a century almost till an answering flash came from Tom's hip. The two shots were so close together that they seemed to merge in one. The smoke whirled upward through the brackets of the swinging lamp and a dozen men dashed forward to pick Brenam up from the sanded floor. His right arm was shattered below the elbow. The heavy bullet had struck his gun and followed the bones in the arm to the elbow.

"Is there a doctor here?" demanded Tom.

A man forced his way out of the crowd.

"I'm Nevins," he said. "I was a doctor till I turned damn' fool and came out here to make my fortune. Let me look at him."

An improvised tourniquet had stopped the flow of blood. Brenam gulped some brandy and sat up.

"When you are well, Brenam," said Tom, "I want to talk to you. In the meantime, Doctor," he turned to Nevins, "will you please tend to him? I'll pay the bill."

"Sure, I'll take him over to my house, but I tell you right now, the arm's got to come off at the elbow. Some of you men get a door to use for a litter." Two men jerked the screen door from its hinges and four men, intent on seeing that operation, bore the wounded Brenam to Nevin's house, heedless of Sam Webster's parting remark.

"While you're a-cuttin' that arm off," he said, "you'd better cut it off right below the ears. It'll save everybody a lot of trouble."

"Come on, Jeff," said Tom. "I want to find Dr. Jones, the coroner."

It was comparatively early and they found the coroner in his own home. He shook hands warmly with Tom and in two minutes he confirmed what Judson had already told him. Then listened interestedly to Tom's detailed account.

"I've got the bullet that killed Gatewood," he said. "I'll keep it. You're dead right in what you say, Frayne. An arms expert can absolutely identify bullets fired from a certain gun. I understand you to say that there are three bullets in question and you have the gun. If the bullet that killed Gatewood and the bullet that you fired from the gun in question are found to have identical markings, then there's no question about it. The same gun that killed your father killed Gatewood. The only question is . . . Who held that gun? You say you took the gun from Devers?"

"Yes," said Tom. "But remember, Devers wasn't in the saloon when Gatewood was killed."

"Tell me just exactly what happened that night." And the coroner lit a pipe and smoked thoughtfully.

"Young Cargan and I had words over Deep Hole Springs, then Gatewood came into the room. He'd been drinkin' and he stood right beside me. He was overlookin' my hand and I had a vague sort of feelin' that in some way he was helpin' Cargan. Cargan and I had words. Then Gatewood, who had no business hornin' in, tried to arrest me. I pushed the table from me right quick and caught Cargan under the chin as he leaned forward. I side-stepped right away 'cause I wasn't goin' to be shot from under the table. At the same time the light went out. I felt somebody clawin' at my leg, but I didn't pay much attention to it. My holster wasn't tied down and the gun was easily got out. At the same time there came a shot. It wasn't from my gun. It couldn't have been from my gun."

"Why not?" demanded the coroner.

"I carry it with five chambers loaded," said Tom. "The hammer was down on the fifth full chamber. The next shot would've

been on an empty chamber. I carry it that way to avoid accidents."

Dr. Jones nodded his satisfaction. "There's no question about it," he said. "The gun that killed your father is very probably the gun that killed Gatewood . . . Calibre thirty-two. The gun belongs to Devers, you say? Now why in the devil would he be carryin' a thirty-two?"

"If he carried a man-sized gun it would give people warning," said Tom. "My guess is that he packs that thirty-two just as men used to pack a derringer. It just happened when I caught him, that he slipped a thirty-two gun into a forty-four holster 'cause he had no other gun. I just wanted to see you tonight, Doctor, to ask you to be sure to hold on to that bullet that killed Gatewood. Here's the one that I fired into the blankets yesterday. Please have these two compared and see if they're alike. I'll have Sam Marvin bring you down the one that killed my father. I'll be goin' now. Good night."

The coroner followed him to the door and watched Tom and Jefferson pass down the street to the Red Dog. A sudden clamor of voices greeted him. Voices loud in argument called on their Maker and riotous laughter rose to heaven. The buckboard that had been tied in front of the Red Dog had disappeared and five men, their voice shrilling high, rocked to and fro in unholy mirth.

"He . . . He . . . " A man jerked Jefferson aside "What the hell did you tie your team to, stranger?" he demanded.

"Tie the team to?" Jefferson stood astounded. "The tie-rack was full of horses and burros. There was even a goat team tied to the end. I didn't want to take any self-respecting team of horses into the bar, so I tied 'em to a kind of post that was stickin' out below the board walk . . . What the hell ails you?" he demanded fiercely of a red bearded prospector who had seated himself on the board walk and was frankly wiping his eyes.

"You . . . You . . . You . . . You ain't got no more sense than a bunch of tumble-weed You t-t-t-tied it to the f-f-first post you seen. Seth Hopkins had crawled under that board walk 'cause he was drunk and afeerd to go home to his wife and you tied it to his wooden leg. Then a dog comes along and scared the team and Seth went off with them."

It took two hours to find that team. One pony was in the yard of the First Methodist Church. The other, with Mr. Hopkins attached, was in the bar of the Dead Burro Saloon. It was well towards morning when Tom and Jefferson headed back for the Bar Horse Shoe ranch.

"And if anybody asks me," quoth Jefferson, "what's the most excitin' way to spend an evenin', I would say it's havin' your partner fight a duel in the Red Dog Saloon while you tie a team of horses to the wooden leg of the town drunk."

Mrs. Tyson, Frances and Judson were waiting for them.

CHAPTER XIX.

"WELL, what happened?" Frances and Mrs. Tyson demanded in perfect unison.

Before them all, Tom took Frances in his arms and kissed her.

"I'm a law abidin' citizen again," he said. "The five hundred dollar reward that the county offered has been withdrawn. John Devers' offer of five hundred dollars reward has been paid . . . " He grinned at that. "Dr. Jones has two bullets for identification, the one that killed Gatewood and the one I fired up in Coyote Caves. If those two bullets and the one that killed my father are shown by an expert to have been fired from the gun that I took from Devers, it'll give us a good clue to work on. We'll only have to find out who actually held the gun when my father was killed and who held it when Gatewood was killed. But that's just the beginnin' of what happened in Palo Verde tonight. I shot Brenam." And he gave them a brief account of the fight in the Red Dog Saloon.

"Pity he didn't kill him," said Jefferson.

"No, Jeff, you're wrong," said Tom. "He's wounded and under arrest. Alive, he may do some talkin'. The old saying is true that dead men tell no tales. Brenam alive and out of the game is better for us than Brenam dead and planted." He glanced at the window, now a filmy gray. "Good Lord," he said. "We've spent the night at this. Yonder comes the sun." And he pointed to the east where the first signs of the false dawn were in the air.

Afar from the corrals came the stamp and whinny of horses and from the lower pasture, where Mrs. Tyson still had a scanty water supply, a thunder of anxious lowing came from the thirsty cattle, striving to get at the water troughs. Then the upper

edge of the sun shot up above the saw-toothed horizon, mesquite and huisache, occatilla and cholla pricked out in the morning mist and, while they watched, purple shadows formed on the yellow plain. Another hot day had begun.

Mrs. Tyson stretched herself with a huge yawn.

"Oh, Lord," she said. "That air sun-up means another day's work. What you goin' to do now, Tom?"

"I'm going right to the Lazy Y now," said Tom. "I'll get Leeper and Persons from the Caves. We can leave those caves in safety now."

"Yeah . . . If that man comin' up the trail ain't a Jonah . . . " And Jefferson jerked a hand at a rider on the trail from Palo Verde

As that rider turned in at the gate he threw up his hand. Jefferson knew him at once.

"It's Robins from the Bar Diamond, Leeper's ranch down the valley," he said. "Wonder what he wants."

Robins soon told them. "Mr. Frayne . . . " He did not know Tom by sight, but he grinned as Tom came forward at the name . . . "I got a message for you. Mr. Cooper and Marston are at the hotel in Palo Verde with some of our cattlemen and a bunch of nesters. You know that fellow Brenam you shot?" Tom nodded. "They took him to the hospital. About midnight last night young Cargan got into town. He didn't have any pants on." Robbins grinned at the recollection. "He got a pair of chaps from a Mexican. While they covered up his front he couldn't turn his back on no company an' stay decent. Young Cargan saw Brenam at the hospital. One of the doctors told Mr. Cooper that he heard Brenam tell Cargan that his men were already over to the west of the range, ready to rush the sheep across. Like I say, Cooper, Marston and their bunch, with a lot of nesters, are at the hotel. They're tryin' to figure out some way to keep those sheep from comin' through the pass."

"There's one way." Tom turned on Judson. "Hondo Pass is the only way to cross that range for miles. Our land runs right past the foot of the pass, so that herds comin' down out of the hills to get to the flat have got to cross our leased land. Judson, you get back to town as quick as you can. Tell the men at the hotel, Cooper, Marston, and everybody you find to bring all the men they can get to the Lazy Y as quick as they can. If Brenam and Cargan are on the prod and mean to run those sheep across the ranges, then we've got no time to lose. Mrs. Tyson'll give you a team, and take our buckboard. I'll get back to the Lazy Y."

JEFFERSON and Judson nodded approval and Mrs. Tyson flung an order to a man near the bunk-house for a fresh team for the buckboard. Then Tom drew Judson aside.

"There's a whole lot more you can do, Pete," he said. "I don't know how young Cargan got in ahead of the others, but he did. Don't forget that Wemys has got his notebooks with the notes of that survey in them. If I had taken those notebooks as I intended to do at first, Devers and Cargan would have said that I falsified the notes. They can't do that now, 'cause the books have been continuously in Wemys' own possession. That's why I didn't take them. When you reach Palo Verde keep a look out for Wemys, get him and his notebooks. Have them identified and have Wemys make affidavit as to their correctness. See?"

Judson let out a whoop of delight. "It's better than that," he said. "Don't you see? From what you told me, the two Cargans and Devers wanted a crooked survey made."

Tom interrupted him impatiently. "Of course," he said. "They wanted a crooked survey made. Wemys had to make the survey, but they knew Ben Wemys would not knowingly falsify his work, so the two Cargans sneaked out and planted the iron anvil like I told you. Then they got Wemys to run the survey. The minute they found that the property line on that last side of the Lazy Y threw the Deep Hole Springs on the Lazy Y land, they began to fight. They'll swear that Wemys was drunk. That'll at least cost Wemys his job. But we can prove Wemys was not drunk. The thing for you to do is to grab Wemys the minute he returns to Palo Verde, get his notebooks, seal them up and get a doctor's statement as to Wemy's condition. I can certify and the men who are with me can swear to the fact that when we raided their camp the two Cargans were drunk, Devers was sober and Wemys was sober. I wish to the Lord I could get my hands on a Notary Public."

"Grab me and you've got one," said Judson. "What do you want with a Notary?"

"To take an affidavit right here." Tom turned to Mrs. Tyson and begged a paper,

pen and ink. They trouped into the dining-room behind him and stood waiting while he hurriedly scrawled the beginning of an affidavit.

"I don't quite see what you're tryin' to get at," said Judson, frankly puzzled.

"Why, this, Old Timer. We watched that outfit make the survey. We watched them nearly all day as they worked up the valley. The two Cargans and Devers were drinkin', but Wemys never touched the bottle until after the work was done. One might have thought he appreciated the importance of his work and wouldn't drink until he had completed it. When we raided the camp that night, they had all been drinkin' but Wemys was dead cold sober when he made that survey.

Judson hastily scrawled it all down. "Raise your right hand," he said.

The oath duly administered, the paper signed and stamped with a cartridge in lieu of a seal, was witnessed by everyone present.

"I think this'll hold them for a while." And Judson put the paper in his pocket. "Of course, we can follow this up," he said, "with affidavits from each of the men who were with you. I'll get Wemys' notebooks and have 'em impounded. It'll be a pretty case, but the thing to do first of all . . ."

"Is to keep those damn' sheep out of the valley," said Tom. "If the two Cargans and Devers reach Palo Verde, have them all three arrested on a charge of having murdered my father. Lou might divide up the murder of Gatewood among them, too. Just so we get them held up for a while. On your way, Pete."

Judson flung himself into the buckboard and rattled off towards Palo Verde and the others turned to the table that the perspiring cook had already heaped with breakfast.

"Of course, Cargan and Dever'll have a new warrant out for my arrest." Tom grinned over his coffee. "I'll be charged this time with a holdup and stealin' their pants and everything else they can think of. We'll straighten that out when we come to it. How about horses for Jeff and me, Mrs. Tyson?"

Mrs. Tyson nodded and flung an order to the cook and in ten minutes two horses were at the door.

"Come on, Jeff. We've got to be at the Lazy Y and get things started there by the time Judson gets his men out from Palo Verde."

Frances and Mrs. Tyson watched their departure, and when the red dust sucked after them up the trail, Mrs. Tyson turned to the girl.

"Honey," she said. "It's just occurred to me while we was eatin' breakfast that Gatewood's death is a mighty good thing. Whoever done it, done a favor to the county. You know who'd make a dern fine sheriff?"

"Who?" asked Frances. But her heightened color and sparkling eyes showed she knew the answer.

Sam Marvin, from the top of the corral fence, watched the two riders ride swiftly across the grass land. At sight of Tom's upflung hand Marvin nearly fell off the fence and the next moment he was nearly pulling Tom from the saddle. Tom whirled him inside the house in a blaze of excitement.

"Sam," he said, "get that bullet from the safe, the one that killed my father. Send it in at once to Dr. Jones. This matter can't wait." And he told Marvin what the coroner had said about the three bullets.

Marvin got the bullet from the safe, packed it carefully in a box that he sealed with sealing wax and five minutes later Corsin, summoned from the bunk-house, was given the package and his orders.

"Ride like hell or John Gilpin," said Tom.

Corsin grinned at him. "I never heard tell of John Gilpin," he said. "I'll ride like Tod Sloane fer choice."

To prove it, he made a flying leap for his saddle and his blue roan pony was off on the trail in a wild gallop and his scuttering hoofs scattered the flying gravel like hail as the two men watched his departure. The Lazy Y men, summoned from the bunk-house, nodded satisfaction as Tom told them what had happened. Then he sent a man to Coyote Caves to bring back Leeper and Persons.

"That'll give us Leeper, you and me, Sam, and our own seven men when Corsin gets back. Marston'll bring some. Cooper'll bring some. And they'll probably have men from Leeper's ranch. There'll be some nesters and homesteaders too."

"You might let us in on what you aim to do," said a voice from the bunk-house contingent.

Tom took them into his confidence. This was no time for half measures.

"You men know the Lazy Y leased lands run right up to the pass. That land isn't worth a curse except in a good rainy season or when the meltin' snow on the ranges gives good grass. Right now it'll run twenty acres to the cow. It's no good for cattle but it's too darn good for sheep. Those herds have got to cross that leased land to get to Deep Hole Springs. I can tell you just this much. As long as I can hold a rifle no strange herds are comin' across our lands to our water. It won't be long before we'll have some news."

It was longer than they thought. It took time for Corsins to reach Palo Verde. It took more time for him to find Dr. Jones. That day passed in the deadly monotony of compelled inaction. Tom fretted and fumed on the porch, while old Marvin tramped up and down uneasily. How did young Cargan manage to reach Palo Verde? What had become of Wemys and Devers and Cargan Senior? Tom asked himself a dozen questions, not one of which could he answer satisfactorily. The bunk-house was in a ferment and old Pot-belly successfully stirred it.

"You wait," he said from his post in the kitchen door. "Old man Tom Frayne would've fit anythin' that had teeth or claws. I don't know jest what young Tom's like, but I got my bet made an' I ain't copperin' none to lose."

The evening passed all too slowly. Ten o'clock, eleven, twelve clanged out tinnily from the old clock in the hall. Suddenly Marvin sprang erect and his very ears seemed to prick forward as he stared out across the star-lit dusk.

"That's horses," he said. "A lot of 'em. You've been a cavalry soldier, Tom. What's that sound like to you?"

There was no mistaking the full roar that came from out of the night. The clop, clop of the fast trotting horses! There was no mistaking the low lying line of dust that was visible, even in the star-lit dusk, along the tops of the mesquite.

"They're takin' their time," muttered Marvin.

"Of course," said Tom. "It's only in fiction that horses move at a gallop unless there's some emergency."

"Well, if this here ain't an emergency, I don't know one when I see it. Look, there they come. There's Marston and Cooper and, by God, there's even John Slade from the Amargo ranges. He's got the Crutch J men with him. Tom, son, you've got a gatherin' of the clans this night."

They clattered into the open space by the corral, dismounted, and stood in little groups while a half dozen riders, big ranchers from down the valley, stamped up the steps and were drawn at once into hasty conference inside the house where Judson joined them. He had ridden far and hard that day, but his heart lay in Huisache Valley with Tom and Marvin.

"I've got some news for you, Tom," he said. "I got Wemys. He was dead cold sober. I got his notebooks. Judge Johnson ordered them impounded. Cargan and Devers didn't show up. Wemys says they left him at the camp near Deep Hole Springs. The last he saw of them, they were headin' west on foot through the pass."

"Good." Tom slapped a heavy hand down upon the table. "The game's drawin' to a finish. What time is it, Sam?"

"I think it's about that time." And Marvin went to a closet and came back with a huge demijohn. "You fellows let your men turn in and sleep. We'll pull out at the first sign of daylight. That suit you?"

It did.

CHAPTER XX

FORTY men eating where nine are provided for would enrage any cook . . . except Pot-belly. He thrust at them hotcakes and bacon, ham and eggs, and odds and ends that he dug up from hidden places. Pot-belly's food supply was in the nature of a magpie's hoard and the value of the find was often questionable. Full fed, the men turned to tobacco and gathered in groups before the porch, while Tom outlined his plan. Like all good plans, it was simple. Those foraging flocks could only cross the range by Hondo Pass. To reach Deep Hole Springs, their only source of water, they must cross the narrow belt of the Lazy Y leased land. At the last minute Sam Marvin came out with a huge placard that he had laboriously printed, that bore the contents:

LAND POSTED
NO TRESPASSING

"We'll stick that up," he said. "Then they're warned. I reckon that puts us within the law, don't it, Judson?"

Judson nodded.

"All right, then we'll get two horses."

"Pot-belly," Tom turned to the fuming cook. Pot-belly wanted to accompany the party, but there was no horse on the Lazy Y that could carry him and no saddle big enough to receive him. "You stay here and wait word from me."

"I'll send grub and water up to you," said Pot-belly. "How long you aimin' to stay there, Tom?"

"Till we do what we're here for. Come on, men. Let's go."

They headed west for the line of the foothills that were touched by the first rays of the rising sun. Mile after mile they put behind them, stretches of yellow grass land studded with live oak, mesquite, and huisache. They crossed dry arroyos and twice found dead cattle wedged in the narrow cuts where, driven by thirst, they had tried vainly to reach the water course in which no water was.

"The whole valley's that way," said Slade. "If Cargan's outfit ever gets in here, it'll be ten degrees worse. As a last measure we can pool our money and drill a few wells to help out the supply from Deep Hole Springs, but if those damn' sheep are ever on the range, it'll be goodbye cattle, goodbye water, goodbye grass. What do you make of that, Tom?" He jerked a hand at the pass that opened above them where the sky shown as yellow as sulphur. "Looks like a sand storm makin'."

"Sand storms don't start in the early mornin'," said Tom. "They start at night. It's the cold night winds that start them. That's—sheep. Leave the men here. You, Slade, and you, Leeper and Judson, come with me. The rest of you divide up in bunches of four or five men to act the moment you see my signal. Sam, have that placard posted on the western limit of the Lazy Y land. You fellows come with me." And he urged his horse into a gallop.

Behind him the men were separating into little bunches and two men were posting the placard to warn off trespassers. The walls of that valley ran steeply up from a wide boulder-strewn floor. Down the middle of that floor ran a narrow water course that wound tortuously from the top of the divide and its bed was filled with a dense growth of aspen and dead willow and stunted live oaks with an occasional hackberry that, as Sam Marvin said, "is so hopeful that they'll send their roots plumb to hell for a drink." It was five good miles to the top of that pass, and as they rode, that yellow dust cloud thickened and became denser and darker and the wind that was booming from the west brought to them the sharp acrid tang of countless sheep and the "baa-baa" of innumerable ewes. They could see little through the haze of dust. Their horses flung up their heads and snorted. Slade sniffed, turned and spat.

"Good God. Look at them," he said. "East, west, south and north, this pass is like the hub of a wheel and they're comin' in on every spoke. What do you make of that bunch?" And he pointed to several horsemen who, far out upon the plain to the west, loomed up gigantic in the yellow dust.

Tom motioned his men to take cover and, with Judson, rode forward to the very crest of the pass. Those herds must come through that cut and once through, with the mouth of the pass blocked, the valley would be a churning mass of sheep. Even goats could scarcely climb the steep walls, sheep not at all. If those flocks could not move straight to the front they must move straight to the rear. They could not turn aside. Then four mounted men rode out of the dust cloud, and before Tom realized it, were within twenty yards of him. Devers was there and Cargan with two other men whom Tom did not know. Cargan edged forward, a sputtering mass of profanity, but Devers jerked him back, and it was Devers, dangerously quiet and low-spoken, who spoke.

"What is this? Another hold-up?" he demanded.

"If you care to put it that way, yes," said Tom. "My land is posted below here, Devers. You are warned off. You can't cross my leased land. You can't reach my water. You can take your sheep down this pass to the western limit of my land. The first one of your outfit, horse, man, or sheep, that touches my land, I open fire. Now go ahead if you want to." and Tom folded his hands on his saddle-horn and quietly eyed the angry man.

IT was checkmate. Devers had Brenam's men behind him and the herds that he and Cargan owned. Those herds must have water before many hours passed. They were all heading for the pass along radial lines, centering in the pass itself. If those herds ever mixed they could never be straightened out. They must be taken through that pass separately and at the foot of that pass lay

armed men to prevent the passage. Judson edged his horse forward till he sat stirrup to stirrup with Tom.

"If you could only get your hands on one of those two birds," he said in a low voice, "you could dictate terms to the other."

Tom spoke without moving his lips. "Send Leeper back to bring up the men," he said. Then he turned to Devers. "Take twenty minutes to figure out what you're going to do," he said. "It's up to you—peace or war. It's your move."

The twenty minutes seemed a century till Tom heard the quick clatter behind him of shod hoofs on stones. Then, without turning his head, he knew he had a half dozen men behind him. Before him, Devers and Cargan, their horses shoulder to shoulder, sat in low-voiced debate. It was an opportunity that Tom dared not let pass. No man saw him loose his lariat and drop it to his pony's off side; no man saw him shift the coil to his left hand and with his right run the hondo back to make a small loop that he could throw in the brush. Years before Tom Frayne had been taught the niceties of roping by Sam Marvin and by Pot-belly, for the old cook, while he couldn't ride, could, as Marvin said "rope a humming bird without touchings its feathers." And roping is a trick that once learned is never forgotten.

"I'm taking Cargan," said Tom in a low voice to Judson. "If I get him, we'll have a wild cat. I want him because he's got the worst temper of the two."

Still the two men argued. Tom's men sat dour and silent behind him, waiting the word. Below the pass to the west those twenty flocks milled uncertainly awaiting orders. Suddenly Tom's right hand gave an almost imperceptible flick at the off side of his pony, a loop shot suddenly out, opening and closing as it rose high in air, then dropped squarely over Cargan's head and shoulders. A quick pull at the rope and Cargan's arms were bound to his side. His bull-roar of maddened rage made his pony start aside. Then Tom reined suddenly back, his pony took up the slack and Sheep-dip Cargan, his arms fast-bound to his side, was dragged on his back along the hillside.

Slade sprang instantly into life. His gun covered Devers and his two companions and his voice, quick, insistent, cut the hush.

"Take their guns," he said over his shoulder. "Devers, I reckon you and Cargan and your two friends'll come with us."

"Wait a minute," Tom motioned to one of Devers' two men. "You get back to the leading herd. Find the boss, whoever he is, and tell him we've got Cargan and Devers. If your flocks come forward, you're walkin' into real trouble. Tell them to keep their sheep where they are until he gets word from Devers what to do with them. Those birds can't come over Hondo Pass!"

The man was off like a shot, bending low in his saddle. One of the men, at Slade's hint, took the gun belts from Devers and his companion, and two others tied Cargan's hands behind him with a pigging string, loosed Tom's lariat and let Cargan rise.

"Now, Pete," said Tom, "send word back and bring up all the men. This is a good place to settle affairs right here."

A sudden rush of hoof beats and a clamor of raised voices behind him made him pause, as three men rode rapidly up the slope towards him from the east. It was Jones, the coroner, from Palo Verde, Oscar Cargan and Weeks, the huge Deputy Sheriff who had arrested Tom. Weeks grinned feebly as he faced Tom.

"DR. JONES has some news for you, Frayne," he said. "Young Cargan here was arrested for stirring up trouble. Seems he ordered Sourdough Brenam's men to carry out old Cargan's plans. John Devers owned Gatewood and he owned Cargan but, by God, he don't own me. I brought young Cargan along 'cause I thought he might be needed."

"We sure do need him," quoth Tom.

"Say, Tom." Leeper thrust a horny paw out to his friend. "Here's this damn' gun that caused so much trouble that you took from Devers."

"It's not mine," said Devers quickly.

"I took it off you," said Tom. "So you carry stolen guns"

"No, you damn' fool. I don't pack guns at all as a rule. It just happens I borrowed that gun."

"Who from?" Tom's question was so casual that Devers fell into the trap.

"Oscar Cargan," said Devers in a most matter-of-fact tone. "It's his."

Silence fell. It was broken only by the creaking of leather as the men dismounted and the heavy breathing as Tom signalled them to seat themselves in a grim-faced ring, and that party of roughly clad western men, ranchmen, cattlemen, sheep men, nesters, homesteaders, resolved themselves into a court of justice as their ancestors must have

done in the days of the Saxon Heptarchy. Tom almost dragged Dr. Jones forward.

"Devers says he borrowed this gun from Oscar Cargan," he said. "Oscar Cargan was in that poker game in the Red Dog the night that Sheriff Gatewood was murdered. This gun is a thirty-two. Gatewood was killed with a thirty-two. You got the bullet that killed him. I accuse this man, Oscar Cargan, of having murdered Sheriff Gatewood and trying to put the blame on me. . ."

"And I,"—Sam Marvin hove himself up suddenly out of the grass—"I accuse Oscar Cargan of the murder of Tom Frayne on the seventh of May, six years ago. He was killed with a bullet from that same gun. I demand that he be held for murder until proper investigation can be made."

"Investigation, hell!" And Jones, the coroner, took hold. "I have had an expert examine all three of those bullets. All three were fired by the same gun. Tom Frayne fired one of them from that gun himself. The bullet that killed Gatewood and Tom Frayne were fired from the same gun by the same man. . ."

He got no further. With a sobbing oath that rose into a scream of terror, Oscar Cargan made the quickest run of his life—and his last. He rushed at his horse, intent on escape. He reached that horse, but someone had thrown the stirrup across the saddle. The horse started back, plunged and reared, then Frank Weeks' pistol roared and Oscar Cargan fell prone in the red shade of the hillside, his life's blood puddling his chin and chest. As one man, four men leaped at him, but it was Sam Marvin who reached him.

"You're dyin' and goin' to your own place," he said. "Before you go, Cargan, one question:—What became of those thirty thousand dollars' worth of bonds that you stole from Tom Frayne the night you murdered him?"

The dying man tried to prop himself on both hands. He raised a little, his wrist suddenly gave way and he fell back, but five men caught his answer.

"Devers," he said. "Devers has got them. You can all of you go to hell." Then he dropped back in a sudden rush of blood.

"And that," said Tom, "brings us down to Devers."

Devers fretted, fumed, cursed and denied, but a convenient live oak tree and a handy lariat and a prospect of prompt justice brought him to terms.

"We had better compromise," said Judson when his advice was sought. "Hold him prisoner till he turns over the bonds and then let him go. As for Cargan." He turned to the bulky, sullen crook who was paralyzed by what had happened. "He knows now that all his plans have failed. My advice is let Cargan go and hold Devers till you get the bonds. Devers, send your men back with orders to your herders to start those sheep back the way they came."

It took hours to do it, for thirsty flocks are not easy to move. Finally it was done and the long lines of dust trailed back across the valley, across which they had so turned to Tom.

"Thank God," he said, wiping his face, "it's done without shooting more than one shot. You've got your springs. We've got what we came for, and you. . ."

"And I," said Tom, "I've got lots more than I bargained for, Pete. I've got ranch and money, home and friends, and more than all of them together, I've got. . .Fran."

"SEE A PIN, PICK IT UP!"

But hold it, Lady! Sometimes pins aren't healthy!

ARTHUR LEO ZAGAT tells of the grief that Betty and Ben Marvain—B & B Detectives they called themselves—ran into when lovely Mrs. Screwball picked up an innocent looking pin! She wanted a case, the lady did, and a case she got—against herself!

This, and many other topnotch detective tales will be found in the July issue of

CRACK DETECTIVE

10c NOW ON SALE

DEAD MAN'S VALLEY

by ARCHIE JOSCELYN

Ranse Hilton sent Smoke Saunders after those stolen cayuses, because he knew that once Smoke reached the outlaw's valley he would lose his honor or his life—or both!

THE silence of the centuries had been broken as far as the foot of the mountains by the puffing snort of the iron cayuse. But today the sprawling horse barns of the construction camp echoed to no other snort, the big two-wheel scrapers and soil-shiny plows stood idly where they had been unhooked four evenings ago.

Smoke Saunders lounged in the saddle a minute, brows twitching together as he surveyed the idleness of the camp. Then, though it had been his intention to get some breakfast and thereafter sleep the day away, following a ride of most of the night and all of the previous day, he turned instead, leaving his drooping cayuse at the stable, and picked his way past a litter from the rear of the cook shack, skirted a well and dipped his head to enter the door of the superintendent's office. That door had been built to accommodate an average-sized man.

Behind his desk, Johnny Pruitt, construction superintendent, looked up to nod his red head in brief but friendly fashion, as he finished signing his name to a stack of papers. A breeze riffled through the torn tarpaper exterior and flipped them at the wrong moments. Smoke turned toward a chair, then stopped abruptly, finding the second of two chairs in the room occupied by Ranse Hilton, who was regarding him with only slightly more favor than if a polecat had ventured into the room.

"Back, are you?" Hilton asked. He was dressed like the easterner he was, but he talked like a native. "Been gone a week—they tell me. Huntin' good?"

"I brought in four elk and a deer," Smoke retorted briefly. "They're unloadin' the pack horses now."

"And there's plenty you took out, too, from the looks of this camp," Hilton rasped. "Good huntin' both ends of the line, eh?"

His meaning was clear enough. Smoke's big hands bunched, knuckles whitening to match the sudden etched angle of his jaw. But the superintendent's voice interrupted.

"I'm glad to see you back, Smoke," he said. "While you were gone, all our work horses were rustled—run off four nights ago."

"Things looked funny, so I headed this way, first off," Smoke nodded.

"We've got to get those horses back, in jig time," Pruitt went on. "Otherwise winter will catch us in bad shape. We followed them half a day south and lost the trail. Think you can find them and get them back, Smoke?"

Smoke stared thoughtfully ahead for a moment, his gaze remote. Then he nodded.

"Ought to be able to," he agreed.

"I figure the same," Pruitt said.

"Also that you're the one man to do it. That being the case—"

"Say, Johnny, you wouldn't want to do that." Hilton was on his feet. "You asked for my report, and—"

"It'll come next, Ranse." Pruitt's level eyes did not leave the rigid jaw of Smoke. "Remember, I'm depending on you, Smoke. Get yourself some sleep, then take as many men as you want—"

"I'll have a bite to eat, then start right away," Smoke agreed. "But I reckon I'll ride alone—this time."

Without a glance at Hilton, he ducked through the door and out again. Hilton swore.

"Damn it, Johnny, you ask me to investigate his record, then you won't listen. He's been gone a week—and durin' that time, our horses are all run off, too!"

Johnny Pruitt surveyed him a little wearily.

"And you're suggestin' that he had a hand in runnin' them off?" he asked.

"It looks mighty suspicious to me. You picked him up, out in the hills, six months ago—"

"After I'd been bitten by a rattler, and would have been dead before sundown, if he hadn't come along and pulled me out of it," Pruitt reminded him.

"I know about that. And later on, you returned the favor by saving his life when he got caught in that flash flood and couldn't swim. You brought him here as hunter for the camp, and I'll admit he's brought in a lot of meat. But I've found out that he used to belong to a gang of outlaws, rustlers, that's still operating in these hills. It's ten to one they're the bunch that run our horses off. And now you send him after them!"

"Now I send him after them," Pruitt agreed. "Your report doesn't surprise me any, Ranse. I'd suspected as much for a long time. But I think he'll bring those horses back."

BREAKFAST finished, his face lean and lined with the long sleepless hours, Smoke had secured a fresh cayuse at the stable, was leading it out as Ranse Hilton appeared. For a moment the two men eyed each other, then Smoke swung into the saddle.

"Just a minute," Hilton drawled. "Or are you in too big a hurry to hear the news?"

"What news?" Smoke eyed him suspiciously.

"News that ought to interest you. Johnny's sister, Connie, is comin' back again—next week, likely."

Despite himself, Smoke couldn't quite keep his face impassive, or the gleam out of his eyes. Connie—coming back again! He met Hilton's quick glance and flushed slightly.

"Int'rested, ain't you?" Hilton nodded. "I thought you would be, likely." His voice hardened suddenly. "Don't go gettin' ideas, Saunders—not about her. It's a red light there, far as you're concerned. I've got the green light. If I need to say any more—a Pruitt don't marry a horse-thief."

Smoke stared down at him a moment, his face reddening. Choking, he made as if to swing to the ground again, but Hilton, shrugging insolently, had turned and sauntered back inside the stable. After a moment, his face dead white, Smoke spurred for the hills.

He followed the raw line of half-finished grade for a mile, then left it to plunge abruptly into a wild country where it was as though man had yet to set foot for the first time.

Inwardly he was boiling. Hilton had distrusted him from the first, and it was plain now that he had dug up his old record as well. But with Johnny Pruitt knowing about it, Johnny had sent him out to bring in those stolen horses. Johnny Pruitt, as Smoke had discovered, was a lot like his sister—he went the limit when he believed in a man.

Smoke smiled thinly. He aimed to make good on that faith, if it was humanly possible. To confirm Johnny's faith in him, and more. Not that he much hoped it would do him any good, in the long run, with Connie. Hilton had the inside track there, of course. He'd known her back east, and he had so many things that Smoke never could have. But Hilton was afraid of him—that was something.

But it was more than even odds that, about a week from now, Hilton would be shaking his head and saying I told you so. This was a case where getting shot would leave Smoke's record at the blackest. And a case where not getting shot looked to be a long gamble with luck—unless, of course, he preferred to skirt wide of where he expected to find those horses, and keep right on riding, clear out of the country. That would ruin any sort of record he had, with either Johnny or Connie, but it would save his skin.

It was early afternoon of the third day when he finally sighted the missing horses, back in the hidden valley which only half a dozen men had ever known how to find, including himself. Where a grassy meadow curved into the timber down below, he could see the big horses grazing peacefully enough, with the harness marks still showing on their hides.

Smoke studied them a moment, lounging in the saddle. Down beyond the red willows fringing the creek he could catch the reflected glint of sunlight on rifle-barrels as well. There were two of them, and a third, over at the edge of the timber.

Well, he'd known it would be that way, too. You wouldn't catch such men as Red Donogan, Chuck Mobray or Ramrod Wilkins napping. His jaw tightened again. Whichever way it went, he wasn't going to like what would come now. These men had never been his friends, but there had been a certain comradeship between them for a while.

IT WASN'T their fault that he had changed when they hadn't. He wondered if Johnny Pruitt knew just how tough a job he had given him, this time. But likely he did. In a case like his, a man really had to prove himself, and Johnny was giving him the chance to do it. Everything, up to now, had been leading that way, but this was the real test.

Smoke came to a stop again, near the horses, circling out of the timber, and he was perfectly aware of the trio closing in on him, the sudden harsh voice of Red from beyond his elbow.

"Reach, hombre—fast an' high!"

Smoke turned, lifting his face, tipping back his big hat. He heard Chuck's indrawn breath, Ramrod's soft profanity of shocked surprise.

"Hello, Red," Smoke nodded. "How are you, Chuck? Ramrod?"

"Well, I'm blasted, if it ain't Smokepole." Red stared at him hard, his eyes coldly speculative. "Had enough of railroadin', Smoke?"

"We've sort of missed yuh, Smoke," Chuck said. "Ain't many men can handle a hoss or a gun the way you can."

"I've sort of missed you boys," Smoke confessed. "Kind of tough that we have to cross horns now."

"Just what do yuh mean by that?" Red challenged. He was lounging in the saddle now, but he hadn't holstered his gun.

"I'm workin' for the railroad, Red. And they need these horses—need 'em bad."

A wintry grin flashed across Red's scarred visage and was gone again.

"We sort of figgered they did," he nodded. "And shucks, Smoke. We wouldn't want the blamed hay-bailers in the first place, if we hadn't figgered it that way. Nobody else'd want 'em."

"All we want is a little profit—for lookin' after 'em a few days," Ramrod husked. "And we'll cut you in on it, Smoke."

Smoke shook his head.

"I'm sorry, boys. That's white of you—but I take my pay from the railroad."

"Don't be a darn fool, Smoke," Chuck pleaded. "It just makes things disagreeable, all around."

"You said a little profit, Ramrod. About how much?"

"We figgered on makin' five thousand on this deal," Red explained.

"I've got three thousand, saved up one way and another," Smoke said thoughtfully. "Some of it, I ain't any too proud of how I got it. Leavin' out my cut, that'd pay you boys just about the same."

Red scowled.

"Gettin' high-toned, ain't yuh, Smoke? But we don't want yore money. We want the railroad's."

"Gettin' choosy yourself, ain't you? But not theirs, Red. I'm workin' for the railroad."

"Well, we ain't gone sentimental, even if you have," Red warned, an edge to his tone. "Best thing's to be reasonable. We know you rode here alone—and you ain't got a chance, alone."

"Maybe you're right," Smoke conceded. "And I've made a reasonable offer, way it seems to me. I don't like this, boys. I had a faint hope that maybe it was somebody else had taken these horses. But anyway, I've got to have them back."

THERE was a long moment of silence, while all four weighed it. They all knew that the last word had been said. They resented him turning to ride a straight trail, while they were still hunted men, and his offer had been rejected, just as he had turned down their counter-offer.

Faint regret showed on Chuck Mobray's homely face, but there was only speculation on Ramrod's. As Red had put it, they had no time for sentiment, not in their business. And all of them knew, very well indeed, the man they were going up against.

"It's up to you," Red said finally, smoothly. "If you still want to ride out of here—even report back—we'll let you ride, Smoke. Otherwise—"

Even as he was speaking, he was starting to raise his own gun again. The other two had holstered their weapons as soon as they had recognized Smoke. But Red was leader because he wasn't ever caught napping, because he had in him the necessary quality of ruthlessness when such was needed. He could promise one thing with his mouth while his hand prepared to see that no such act of folly was perpetrated.

Smoke knew Red. There had been other times when he had seen him parley with a man and then shoot him in the back after his proposition had been accepted. It had been that,

more than anything else, which had sickened him of this sort of business, had made him jump at the chance when it was offered to put it all behind him. Knowing Red, he hadn't ridden down here unprepared.

One shake of his sleeve, and the short gun which he had slipped up it was in his hand. Muzzling on Red before the long gun could spew out treacherous death. He saw the sudden white which rimmed Red's eyes as he stared down the channel of doom.

"Hold it," Smoke snapped. "I'd ought to kill you, Red, but because we used to work together, I'm giving you a chance. Ramrod, you and Chuck ride around here where I can watch you. Let go of it now, Red—easy does it."

A little of the white in Red's eyes had disappeared again, as he got his breath and saw that retribution wasn't striking back. Give him credit for having plenty of nerve, Smoke conceded. He allowed the gun to drop, slowly raised his hands. It was Chuck who cried out sharply.

"Hold it, Kid!" Chuck ejeculated. "No murderin', now."

A chill wind seemed to rustle the short hairs at the base of Smoke's scalp. Red's voice held a sardonic edge.

"Gettin' plumb sentimental, ain't yuh, Chuck?" he asked. "That's what gets hombres like us hung. But if you want to twist yore neck and have a look, Smoke, we've got us a pardner in place of you—and the Kid's plumb quick on the trigger his own se'f. Likewise he ain't got no crazy notions. If you don't want to look, why, speak up, Kid, so's he'll know all about it."

The gun in Smoke's hand hadn't wavered. But Red wasn't bluffing—he'd guessed that at the start. The Kid's voice, sardonic also, cold as the whirr of a rattlesnake, came from behind him, off in the edge of the timber. At the sound of it, memory flowed through Smoke. The Kid had worked at the construction camp a while back, had vanished with part of a pay-roll.

"Right, Red! I've got a bead on the back of your head, Smoke. Want that I should demonstrate how I can shoot—or are you droppin' that smokepole of your own?"

"Neither one." Smoke didn't make the mistake of turning his head. He should have guessed that these three would have a hidden ace. "If you want to see Red get a hole in his head at the same time, Kid, just go right ahead and lean your weight on that trigger."

THERE was stalemate for a moment. A bit of the white edged Red's eyes again. He knew only too well that, even if a bullet knocked Smoke half out of the saddle, it wouldn't prevent him from shooting as he died. Shooting then could be almost reflex action. And Red would die with him.

"Right nice little situation we've got, ain't it?" the Kid's voice jeered. "But I'm not backin' down, renegade. You ain't got a chance."

Smoke's jaws tightened at the epithet. A touch of the spurs sent his horse into a plunging side-jump, and he was whirling, shooting for the Kid as lead buzzed where he had been a scant half-second before.

His gun was half-empty before the Kid's horse ran riderless, and by then the other three were all intent on killing him. To try and outshoot them there would be a greater folly than he cared to be guilty of. For he

had to get back to where the iron cayuse snorted its fire-laden breath, or Hilton would rate him forever as one of those who sought now to kill him. Worse, Johnny and Connie might be forced in time to believe the same thing.

He reached the edge of the timber, a hard target, and was just drawing a deeper breath when it happened. His cayuse lurched drunkenly, made a desperate try to regain faltering feet and went to its knees, pitched blindly and was dead in a twisted heap. The sheer knock-down force of that bullet showed that Red had taken time to use his rifle.

As his stricken animal went to its knees, Smoke lit, running. He staggered once and all but fell, was gaining his stride as Ramrod and his cayuse broke out of a fringe of brush at the side. The surprise on Ramrod's face was almost ludicrous as he tried desperately to get in the first shot, and didn't. A moment later, Smoke had caught Ramrod's horse and was in the saddle.

That had whittled the odds down by half, and luck had been with him. He could hardly hope for such luck to endure the rest of the way. Red was a killer, and Chuck had liked Smoke, in his way—but Ramrod had been a pal where Chuck was concerned, so right now Smoke had two deadly enemies who aimed to cut him down in retaliation, and for more practical reasons as well.

They'd be figuring, right then, that he would hit for cover, and they were heading accordingly, so Smoke took the bold course and got in behind the work horses, which had lifted their heads at the first shot, then turned and bolted as gun-fire really got behind them.

As luck would have it, they were running in the right direction. Waving his hat, yipping shrilly, Smoke thundered along on their flanks, pressing them close, taking full advantage of the dust cover stirred by pounding hooves. It was a mile to the mouth of this hidden valley, and they made it in record time, burst through the narrow neck and out.

Beyond was more open country, and here the rifles could come into better play. But there was a rifle in the saddle-sheath on the cayuse he rode, and as bullets started to hum again, Smoke pulled it out, turned in the saddle. He was lining Red in his sights when he felt the ghastly jerk and quiver of this horse, too, heard its hoarse gasping grunt of agony, then it was down, rolling, and he was down with it, pinned there as it quivered and lay still.

Fire seemed to start at his foot and race along his leg, leaving him numb and dizzy for a moment. Then, as the pain subsided a little, Smoke found that he was lying there, foot caught under the neck and shoulder of the dead cayuse.

GIVEN time, and he might work his foot loose, get free again. But that would be no easy job, it would take time. And right now he was to be given no time for anything like that. All that he could do, for the moment, was maybe to have a try at defending himself.

The rifle, he saw, had fallen at least twenty feet away, but his own gun was still in its holster. And Red and Chuck were coming up fast. It was Chuck's bullet which had dropped his horse.

Smoke saw that much, still lying flat. The pain and sickness gripped him again, the ground seemed to weave and roll under him. He bit his lips, felt the salty taste of blood before the pain could make itself felt

above the other. Dimly he saw the pair, like lobos, approaching him from the far side, reining up to have a better look. Smoke lay unmoving while the nausea slowly subsided.

"That was a right good shot, Chuck." Red's voice held an edge. "Caught him neat as a skunk in a henhouse. But just to make sure—"

Red's gun was lifting. Smoke saw the sun sliding on the barrel of it, like the liquid fire that seemed to slide along his leg. Red was riding closer, coldly intent on pumping lead into Smoke's prostrate body, just to make sure, as he expressed it.

Smoke twisted a little, leaning his elbow on the ground, raising his gun. He saw the same startled look in Red's eyes that had been in Ramrod's, the reports of the guns blended. Dust kicked in front of his face, Red's horse was running, terrified, a limp weight sagging in the saddle.

He had one bullet left in his gun, Smoke remembered, since he hadn't had time to reload after using it first. He had to make that one count, doubly, for this was his short gun, and it was a .44. He had brought no extra bullets for it. And though he had a belt full of forty-five shells, he saw now that he had lost his long gun back when his first horse had been killed under him.

One bullet left—and Chuck was coming at him, gun flaming before Smoke could even turn to face him.

One bullet scraped along Smoke's shoulder, a sting like the flashing weal of a sharp knife. Another must have cut through his hair, which had fallen over his forehead, for he saw a lock of it drop before his eyes. A third chunk of lead screamed into the ground as his own last bullet went out. He'd had to turn, twisting painfully, to get that shot at all, and now he set his teeth against pain-washed blackness as the empty gun thudded on the ground.

He must have fainted, Smoke decided, sitting up painfully again. He was getting soft. The sun was getting close down to the horizon, and most of the work horses grazed perhaps a quarter of a mile away, on the open meadow. A line of trees grew a hundred feet away, and near them was the horse that Chuck Mobray had been riding. It, too, was eating hungrily. The saddle was empty.

A good deal of the pain and dizziness had passed, but an attempt to move his prisoned foot was as devastating as ever. Must be some broken bones, Smoke decided grimly. Getting loose wasn't going to be easy, not without help. And the chance for help was about one in a million—

Smoke turned his head, staring incredulously. Rance Hilton was riding up, staring around a little wonderingly. He stopped, dismounting, shaking his head.

"Looks like you'd been having quite a scrap, Smoke. But I see you found the horses."

RELIEF flowed through Smoke in a warm wave. He'd never hit it off very well with Hilton, but right now he was like seeing a long-lost brother.

"Sort of a scrap, yeah," he conceded. "And the horses are ready for drivin' on back to camp."

"I'll see they get there," Hilton agreed. "Be a good piece of work."

"How about giving me a hand here, at liftin' this chunk of meat?" Smoke queried. "I'm kind of trapped."

"I noticed that." Hilton looked around again and nodded. "Only about what you would expect, isn't it, considerin' the crew you went up

against? And what you done to them."

"I guess I'm getting off pretty lucky, all right."

"Too lucky." Hilton's smile was twisted. "By rights, I'd ought to leave you right here, just as you are —and I would, too, only you're that slippery a customer you might get loose somehow and bother again. So I'll put you out of your misery and keep you from getting back to camp —since your gun's empty."

Deliberately, he drew his own six-gun, lifting it slowly, but with unmistakable intention. Watching him, Smoke understood. So that was how it was that the horses had been stolen with so little trouble in the first place, and why the Kid had been one of the gang. There was not only a nice profit, in working along with Red and his crew, but Hilton had been determined that Smoke should not return to camp with those horses.

"You're a right cautious man, ain't you, Hilton?" Smoke sneered. "You couldn't trust to those four to kill me, so you rode this way to make sure."

"Nothin' like making sure," Hilton nodded. "You sure ain't going back with these horses, to prove you've turned straight. It fits a lot better with my plan for Johnny and Connie to figure you never did reform—"

He was lifting the gun now, sighting it with the cold deliberation of a rattlesnake. A scream halted the motion in midair, seeming to freeze Hilton as, out from the timber, with a rush of flying petticoats, came Connie Pruitt, running wildly.

"Rance Hilton!" she cried. "If you murder him—"

"I always knew you were a sneak, Rance Hilton, but I didn't know that you were a crook and a murderer as well!" she flared.

"Not so fast, Connie," Hilton growled. He had regained control of himself, the gun was unwavering in its menace now on Smoke. "I didn't know you'd arrived in this country yet, but since you got here—well, if you have to stick your nose into this sort of business, I reckon there's just one thing to do, and that's to play the hand out. Once you're my wife—"

"Do you think I'd marry a—a thing like you?"

"I'm thinkin' you'll do just that—and be damn glad of the chance," Hilton nodded. "After I finish him off, and you're out here, alone with me—"

"Happens she isn't alone, Hilton! Put up your hands!"

THAT was Johnny Pruitt's voice, cold as ice, as he stepped from the shelter of the trees, gun lined on Hilton. But Hilton was not to be caught napping. He had been the consort of highwaymen long enough to be one of them, and he was playing a desperate game now, playing it for high stakes—life and everything else had been cast into the balance. So swiftly and smoothly that the eye could hardly follow the motion, he moved his gun-muzzle so that it covered Connie instead of Smoke.

"Hold it, Pruitt!" he snapped. "I've got her covered—and you come a step closer, or shoot, and I'll blast her first, then shoot it out with you!"

"Why, you—you—" Pruitt's voice choked on his rage.

"This ain't the way I'd figgered it," Hilton agreed. "But you both insisted on cuttin' into this game, and since it's my neck that's at stake, I'm playin' it out the only way I can."

He had aimed high, but now he was aiming for life itself, and in his eyes, cold and ruthless as those of a

rattler, Smoke could read the decision he was reaching—that dead men tell no tales.

But he had forgotten Smoke, pinioned fast by the dead horse. He was too far away to reach, and there would be time for only one effort. Smoke jerked, putting all his weight into the effort, flinging himself in almost the same motion at Hilton, to grab him by the ankles and bring him down in a heap. Then the gun blasted and that same blinding pain raced from his foot to his brain, and darkness rocketed across Smoke again, even as he clasped those kicking legs all the tighter.

Smoke blinked and tried to raise his head, becoming aware that it was pillowed in a heavenly-soft lap, with tender hands sponging a wet cloth across his face.

"Guess I—I must have fainted," he said. "Second time in one day."

Connie laughed in a little note of joyous relief.

"Maybe you did, Smoke," she agreed. "But you kept going long enough to put Hilton out of the fight and to save Johnny."

"Coming around, are you, Smoke?" Johnny Pruitt asked. "I've got Hilton tied up—ready to hand over to the law. Connie insisted on riding out to try and find you, soon as she got back to this country—" he laughed a little in relief. "Not that you seemed to need help, much. Think you can ride again?"

Smoke nodded, his eyes on Connie's face.

"Sure can," he agreed. "Anywhere."

THE END

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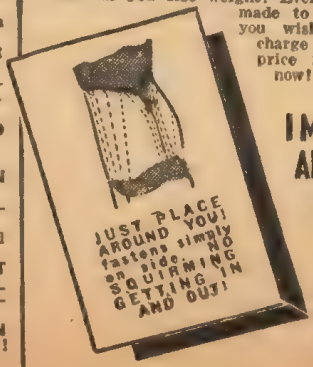

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He banged my haid down 'till I began to get discouraged I'd ever soften his feelings toward me.

PEACE IS WUTH FIGHTIN' FOR

by JOHN SCOTT DOUGLAS

I'M AS mild-tempered an hombre as you can find, but when I seen that sign at the crossroads, I wanted to r'ar up and paw the air. It read as follers:

DANSE SATIDDY AT DEAD MULE GULCH
EVERYONE INVITED
STEBBINSES WILL BE SHOT AT SIGHT

Here I'd come, brimmin' with the milk of human kindness, and already my trigger-temper had riz to the b'iling p'int.

I'd come on a mission of peace to show Uncle "Grizzly" Stebbins they was no hard feelings. He was tellin' folks he'd pulled his freight for Rattlesnake Creek because all he had to fret him there was Blaizdell ca'tridg-

es, whilst he don't know what perfidity to expeck from his low-down, double-crossin' nephew, Elkwood.

Which shows how the loftiest motives can be mistook, even by yore own kin. How was I to know them two thirsty-looking fellers which says they wants to buy some corn licker was revenooers? How'd I know they'd bust up his still, burn his shack, and pour fifty jugs of Rare Ole Fight Yore Mother into Panther Creek? But Uncle Grizzly was always cantankerous. He didn't even take no satisfaction putting buckshot into them revenooers' britches. After he sent 'em scuttling into the bresh, he tried to sculp me. Was it my fault his arm got broke when I taken away his bowie knife?

Well, Uncle Grizzly shifted over to Rattlesnake Creek, which was near where them wuthless Blaizdells moved. They used to infest Panther Creek, too. Us Stebbins is quiet-natoored onless we gits riled up, and they ain't no use them Blaizdells blamin' us for what happened. The facts speak for theirselves. We was willing to call quits to the feud on Panther Creek when them three Blaizdells dry-gulched grandpap, and he thought he kilt 'em, which unfortunately he didn't. Let bygones be bygones, we says, except mebbe for pepperin' Blaizdell britches occasional with a shotgun to remind 'em to keep the peace.

But they was the kind of coyotes which harbor petty grievances, so they moved to Dead Mule Gulch. Uncle Grizzly settled clost by, he says, so he could keep his weppins in practice in case he seen me agen.

I knowed Blaizdells was responsible for that insulting sign because we ain't got no enemies in Dead Mule Gulch, except mebbe ten or twelve. I clumb off Bolivar and yanked up the sign, which was only about the size of a ordinary boxcar. If it'd been much bigger, I'd of had to taken both hands. Then I rid on to town.

The Red Dog Saloon looked like a cyclone struck it, and I says, "I expeck Uncle Grizzly must be in town."

Three men suddenly let out yells like they had been shot and dynamited down the street howling, "Get them buffalo guns. Elkwood Stebbins is here."

Guns started popping from behind posts and winders, and I was pained to see how inhospitable them Blaizdells still was. I reckernized Snaggletooth Blaizdell, and rid down the street, looping my rawhide. They're spreading stories about how I tried to murder Snaggletooth. It's a lie. How can he expeck to be drug along a dusty street without losing some hide?

"Where's my Uncle Grizzly?" I ast, severe, lifting Snaggletooth by the nape of the neck and shaking him somewhat.

HIS teeth was chatterin' so hard, and six-guns making sech a rumpus that I cain't hear what he says. He p'ints a shaking finger at the Red Dog, which lay part out in the street, and at two hitching rails which was uprooted, and then at the hills. I felt kind of relieved. Mebbe I could friendly up them Blaizdells better now that Uncle Grizzly had left town. He ain't got my tact.

But I was getting plumb discouraged at the way them Blaizdells was harborin' ill feelings. I held Snaggletooth between me and the Climax Bar, where most of the shooting was coming from, but when several ca'tridges grazed my staves, I almost lost patience. I was keeping them from taking careful aim by blazing

away with my .45 whenever I see a haid.

When a charge of buckshot hit Snaggletooth in the britches, he howled like a timber wolf with the bellyache, and he was terrible hard for even me to holt. I reckon mebbe I did tech him up a mite with my hardware, jest to quiet him, but what plumb wore out my kindly feelings toward him was when he tried to spear me with his bowie. Him getting his arm broke was his own fault if he wouldn't leggo that pig-sticker.

Snaggletooth was yelling bloody murder when I pushed him ahead of me into the Climax Bar. Them Blaizdells had only theirselves to blame for the shameful way they treated Snaggletooth. He sort of went limp, what with a couple of dozen buckshot in him, and he ought to of been thankful he could walk with crutches inside a year.

They somehow warn't expecking me to come in there, jedging from the way they lupt away from them winders and scuttled to get behind tables and the bar.

"Who war responsible for that there sign outside town?" I roared, impulsively shooting off the tip of Beartrap Blaizdell's ear.

No one was perlite enough to answer. I taken away about six weppins when Mooseface Blaizdell bounced a cuspidor off my haid and Beaver Blaizdell made the mistake of climbing on my back with intent to sculp me. They ain't no use him saying I throwed him through the winder on purpose for Bolivar to tromple and chaw on. I'd clean forgot all about Bolivar.

And Red Riley, who owner the Climax, he had no cause to claim I busted up the place. I'd like to see him fit about sixteen Blaizdells 'thout mussing things up a trifle.

I was trying to keep ca'am, but what with Beartrap bustin' a whiskey bottle on my haid and Owlface Blaizdell shaving my ribs with his knife, I was becoming annoyed. They collapsed simultaneous when I kind of pushed them with a chair I happened to have in my hand.

I lupt over the bar, and if them three Blaizdells sculking back there had been out fighting instead of trying to shoot a feller in the back, they wouldn't of had no reason later to complain I throwed 'em through the bar. Anyhow, Blaizdells never did have no stamina.

I hadn't emptied my .45's twice afore Mooseface hollered from behind one of the tables he was using as a barricade, "We surrender, you *@$*&!"

"It's about time," I says. "I'd begun to lose my temper. Throw out yore weppins."

Mooseface made a reply which was shocking to hear. I started shooting agen to warn him, and one of my ca'tridges must've gone through the table because he yelped like a stricken coyote.

"You'll sculp us if we throwed out our weppins," he bawled.

"I'm a man of peace," I says. "And if you don't admit it, I'll shoot you so daid you'll stink."

MOOSEFACE'S langwidge was simply scandalous, but another ca'tridge persuaded him us Stebbins means what we says. Five guns clattered on the floor, they only being five Blaizdells which was capable of throwing even a lame jackrabbit by this time.

"I've grieved at yore lack of hospitality," I says. "But I'm a gentle man by natoor, and I'm willing to let bygones be bygones. To show you that us Stebbins don't holt no hard

feelings, I'll come to yore dance tonight and bury the hatchet."

Mooseface yowled like a heifer being branded. "We cain't walk, let alone dance."

"You'll dance," I says, fierce, "if I have to shoot you in the hind laig to kyore yore rheumatism."

"It ain't rheumatism," groaned Mooseface. "We air in no shape for nothing but to be treated by a sawbones."

"I didn't come to listen to yore excuses," I says. "I come to patch up the feud, and I'll make you be friendly if I got to strangle every last Blaizdell."

They cussed something awful at that, and Mooseface says, "How can we dance when you ruint Snaggletooth and Beaver? They ain't no other Blaizdells which can saw a fiddle."

It sort of looked like they wasn't going to be no dance in Dead Mule Gulch that night ontil I recollected that Uncle Grizzly handled a mean fiddle afore his cantankerousness driv him from Bear Creek.

"My Uncle Grizzly will oblige by fiddlin'," I says.

"He don't dast come back here after the way he ruint the town today," says Mooseface. "I cain't promise he won't be lynched."

"My Uncle Grizzly ain't afeerd of bullets or Blaizdells," I says, kicking one of the boys back of the bar in the stummick as he woke up and reached for a dropped bowie knife. "They is going to be peace in this here town or it won't be the fault of us Stebbins."

Whereupon I went out dignified, but watching to see they didn't shoot me from behind.

Bolivar was laying for me. He r'ared up, trying to bite me, but I was in no mood for his foolishness, so I jest kicked him in the nose, and clumb aboard. I will say them Blaizdells done their part noble in being peaceable, except for one of 'em which opened fire with a buffalo gun when I was almost to the trees. But he didn't come closer'n a foot, so I didn't pay no attention.

I hadn't gone more'n half a mile into the hills when I seen a feller on a scrawny sorrel hoss which was acrost the trail. He was built like a Jersey bull, and his lantern jaw wasn't no softer'n the barrel of my .45. He appeared to be sp'iling for a fight, what with his Winchester aimed straight down the trail.

"Where you goin'?" he ast, friendly as a caged catamount.

"Don't stop me," I says. "I'm on a errand of peace and good will, and I don't want to shoot no one."

"You ain't going this way!"

"Who says so?" I wonders out loud.

"Yancy Mandell," he says, his blue eyes screwed up.

Bolivar had been eyeing that other hoss, and I reckon he don't like his looks. He bares his teeth, squeals, and goes after that sorrel like a kitten goes after milk.

The sorrel wheeled, and that spoilt Mandell's first shot. Bolivar biting that sorrel on the neck ruint the second, but that Winchester exploding almost in my year well-nigh deefened me, and you cain't blame me for being annoyed.

I taken away that rifle from Mandell whilst he was trying to holt the sorrel from running away, and I kind of shoved him with my hand, fergittin' I was a-holt the rifle, and the onfriendly stranger tumbled from his hoss. Bolivar must of cottoned to the taste of that hoss, because it was all I could do to drag him back to the trail after the sorrel crashed off into the bresh.

WELL, I throwed the Winchester down and leave Mandell laying there, and I hadn't gone two more miles afore the purtiest gal I ever seen come out of the woods. She reckernized me at oncet because she screamed and turned dead white. Last time I seen Arabelly Blaizdell, she was a long-laigged, freckle-faced kid which had shot at me frequent from a safe distance. It don't seem possible no Blaizdell filly could be so purty.

But Arabelly hadn't changed so much. They warn't time to tell her they was only peace between us and them rascally Blaizdells before she throwed her squirrel rifle and fired both barrels. Them Blaizdells never could shoot straight, somehow. But I like spirrut in a gal, so I only fired a few shots around her clost-like to show her I don't mean no harm, whilst she skedaddled through the trees yelling like she was kilt.

Purty soon I seen her agen. She had clumb a tree and kept shooting regular ontil I was out of sight. It was plumb discouragin' to try to friendly up sech a tribe!

I'd almost reached the top of the hill when I seen the trail going down along one side. The bresh got thicker'n thicker, slapping me in the face and annoying Bolivar considerable.

Suddenly it cleared a little, and I gave a start. A head and a bunch of black whiskers was sticking through the bresh, and I could jest see the tip of a shotgun. It was Uncle Grizzly, though I figgered at fust it was a b'ar.

Uncle Grizzly let out a roar which must of made folks jump clean down in Dead Mule Gulch. The roar of his shotgun and the crash of underbresh come simultaneous as I dived for cover so I could reason with him better. As it was, some of them buckshot made me move so spry the charge from the second barrel didn't even tech me.

"Uncle Grizzly," I yelled, "I come to fergive you for yore ill natoor."

I was stung by his answer, which was too scandalous to repeat. I allowed as how mebbe I could argy better if I crupt behind a big rock. Uncle Grizzly splattered it with shot. I knowed it don't do no good to interrupt him ontil he runs out of ammunition, and anyway I couldn't get a clean shot because he kept hisself hid. Purty soon he got wearied of blasting away at that rock.

"Uncle Grizzly," I says, "I told them Blaizdells you'd fiddle at the dance tonight."

He made a sound like a wounded b'ar. "Blaizdells!" he roared. "Do you allow as how I'd fiddle for Blaizdells, you #*&%$! idjit!"

That's one thing you can say for Uncle Grizzly. He don't soften easy. I saw it was going to take a sight of persuadin', so I snuk around them rocks, and crup up.

I might of knowed anyone which has as big years as Uncle Grizzly would of heard me, although I wasn't making no sound to speak of. Fust thing I knowed, we both come around the same tree at the same time, and the look on his face kind of scairt me, it was so blood-thirsty.

He let out an Injin war whoop, and jumped up, making a pass at me with his bowie. I didn't want to hurt Grizzly, so I tried to gentle him with a pole only about as thick as my arm which I accidently had in my hand. It must of been rotten, though, because it broke the third time I smacked it on his haid. But he did drop his knfie.

As he picked it up, I forked his back, and we went down together.

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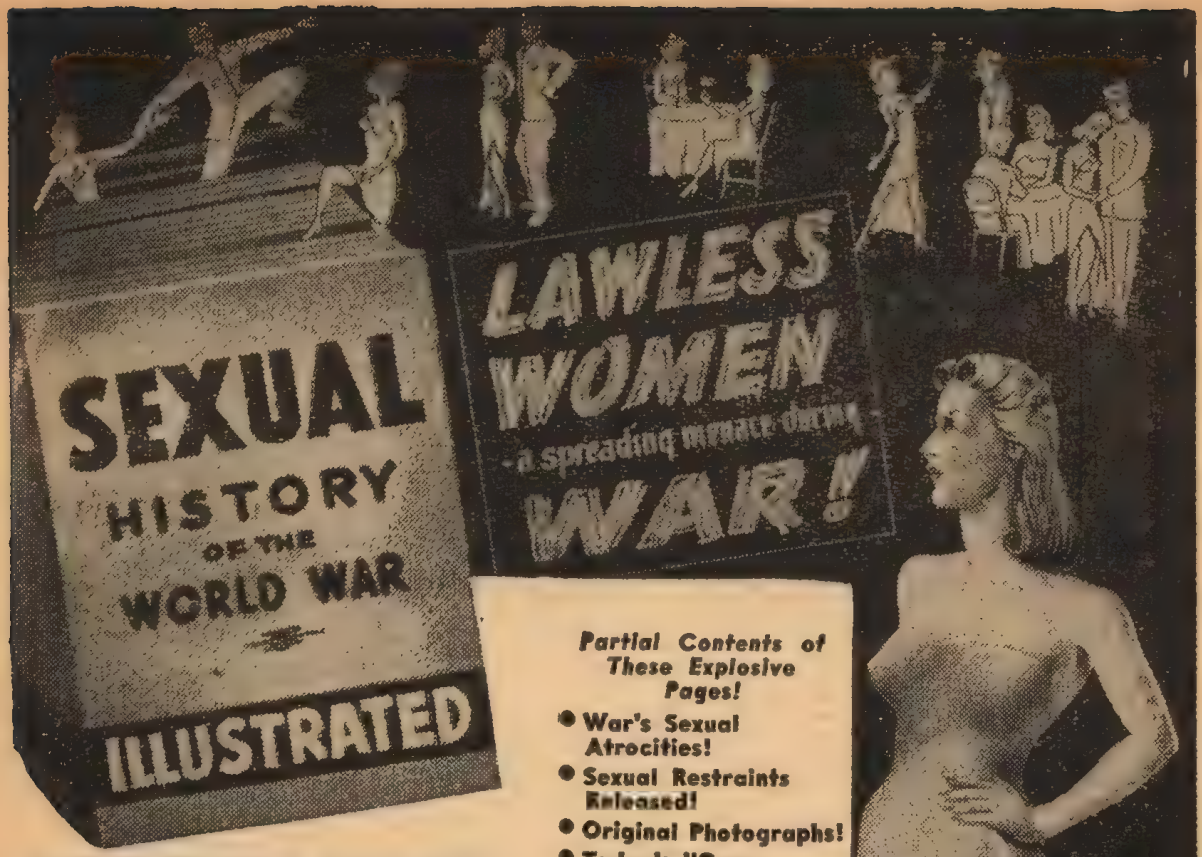

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(Continued From Page 98)

He thrashed around like a boa constrictor with the stummick-ache, whilst I kept on trying to gentle him by hammering his haid with a rock.

He fit jest like he used to. When he was on the bottom, he tried to twist around so he could rake his spurs acrost my neck, and he tried to get his right hand free so he could use his bowie. When he was on top, he gouged at my eyes with his left thumb. Fortunately, I was able to get holt of his thumb between my teeth every time he done so. There was no use his claiming later I'd bit off the end of his year. I had to holt on to something, didn't I?

WE ROLLED down the hill, and when we bumped a log, he banged my haid down ontil I began to get discouraged I'd ever soften his feelings toward me. Then he made matters wuss by getting his right hand free. He slashed with his bowie, but the knife stuck in the log when I moved my haid quick. He tried to pull it loose, but it'd gone in a hull four inches.

I never got so sick of no argyment in my life. It warn't so much the way Uncle Grizzly dug in his spurs and tried to pry out my fangs with that thumb I was chawing on that pained me. It was him attemptin' to bit off my nose which convinced me he warn't a mite more friendly than when he shoved out of Panther Creek.

It was whilst he was trying, with howls of rage, to get that there knife loose that I managed to turn him over. I seen it was no use hammering his haid on the log, because that jest made him madder. So I hit him very easy with a small rock no bigger'n a small watermellon, but it was soft and broke. Before I could rech another, Uncle Grizzly went sort of limp under me.

I run back to Bolivar, got my rawhide, and trussed him up.

The argyment had purty near tuckered me out, so I found Rattlesnake Creek, and follered it up to a shack. I hunted around that shack and purty soon found a still which I knowed was bound to be some'eres around.

They was some jugs, and I up-ended one. I hadn't wet my whistle with none of Uncle Grizzly's Rare Ole Fight Yore Mother for some time. The hair riz on my sculp and my knees danged near buckled at the fust drink. But after I'd got down a quart, it kind of cauterized my throat ontil it was numb and I didn't choke near as much.

I washed off the blood in Rattlesnake Creek, and by then that snake pizzen begun working, and I fergive Uncle Grizzly for his or'neryness.

I h'isted him on Bolivar and I never seen that old cuss as peaceable as he was whilst we rid back to Dead Mule Gulch. He was limp ontil jest afore we entered the town, when Bolivar took a bite out of his britches. Uncle Grizzly let out a howl that brung folks running from the stores and saloons, and thrashed around something terrible.

"You danged murderin' polecat," he shrieks. "Lemme loose so I can tear out yore gizzard."

It was all I could do to keep holt of him, him being so impatient, and it was his own fault when he fell on his haid and Bolivar kicked it. After that, he quieted down remarkable.

BUT when I'd sot him down in the Climax Bar, and he was circled by Blaizdells, he come to again. Without stopping to think, he reched both hands for his weppins, and when he couldn't budge for the rawhide, he

roared so terrible the glasses jumped on the shelf and the Blaizdells lupt back.

"Will you ca'am yoreself if I ontie you?" I ast.

"Yes," Uncle Grizzly thundered, "jest as soon as I've carved some steaks from yore ribs and busted yore ribs and busted yore arms and laigs and kilt some of these varmints hereabouts."

"Mebbe we better keep him trussed up some longer," I says thoughtfully.

Mooseface shuddered. "If he ever gits loose, they won't be no dance. They'll be a massacree."

"Don't fet," I says. "Uncle Grizzly wants to fiddle for yore dance. What you air observing is jest stage fright. Moosicians gits that way sometimes."

But I wasn't sure. Through the wild hair falling over his forehead, and above that bristling beard, Uncle Grizzly's black eyes looked like he could of et nails. I explain to him they was to be no more slaughterin' of Blaizdells, but the way he's cussing and carryin' on, I don't think he heerd me.

I tried to figger out something else which'd make them Blaizdells give up their back-biting ways. And then I seen the right approach.

"I'll bring Arabelly to the dance," I says. "After that, no one won't be chawing wind about us Stebbins not having strong enough stummicks to associate with Blaizdells."

They's no figgerin' that tribe! Here I was burying my pride, jest to keep peace, and before I knowed it, they ganged up on me. I taken away about three bowies and smashed Owlface on the haid with my .45 when Mooseface, which had his nose kind of ruint when I pushed him away, yells:

"Don't git yoreself kilt, boys. Let him bring Arabelly. Why should we

(Continued On Page 102)

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(Continued From Page 101)

go on the prod jest to keep him from committing suicide?"

I don't know what Mooseface is chawing about, and I don't try to figger it out. He's been a mite loco ever since Cousin Cottonmouth grazed his haid with a ca'tridge. But when Uncle Grizzly seen me backing out, he howls:

"Elkwood, ontie me, you #$%*&'!, afore these coyotes rooin me."

"You fergit," I point out, "that they's yore friends now."

Uncle Grizzly must of swallered his tongue the way he choked.

Mooseface did have a sort of strange gleam in his eye, though, so I warns 'em:

"If they's a hair of Uncle Grizzly's haid harmed, I'll cut yore hearts out when I come back."

"You ain't coming back!" bellers Uncle Grizzly. "Lemme go, you ignerent coyote! If you had good hoss sense, you'd of seen what Mooseface meant when he says yo're committing suicide."

That rock must of been harder than I figgered, because this don't make no sense. He kept bellering and cussing ontil I had rid out of Dead Mule Gulch.

Everything was working out better'n you'd expeck. With Uncle Grizzly fiddling and me bringing Arabelly to that dance, that there feud would be all over.

The feller who'd tried to stop me on the trail was gone, so I reckoned he'd finally come to, which he hadn't done when I rid back with Uncle Grizzly. They was no sign of Arabelly, either, so I rid right up the trail and ran smack into her pappy, Moonpate. I'd took my Winchester out of its saddle holster in case Moonpate misunderstood my good intentions, which he done.

HE run to the cabin, yelling, "Arabelly, we're surrounded! Fetch my weppins!"

I jumped off Bolivar and run after him. He almost got the door closed, but I got holt, and we both pulled. It came off the hinges, and I had the presence of mind to throwed myself on it as it come loose. It was a heavy slab door, them Blaizdells being the ontrusting critters they is, and Moonpate hit the floor kind of hard under it.

He grunted and tried to throw it off, but I hung on, because I knowed he'd be easier to argy with if he couldn't use his weppins.

"Everything is fergiven," I roars. "I've come to take Arabelly to the dance tonight."

"Air you paralyzed?" Moonpate screams at Arabelly, lunging frightful ontil I nigh got seasick trying to ride that bucking door.

I seen Arabelly running with the shotgun. I grabbed the door, and riz quick with it, using it as a barricade. The shotgun exploded twice. Most of the scattering shot missed me, but Moonpate, which had hopped up like a cat on a hot stove, howled something awful, and begin cussing in a way which was most scandalous. They was no satisfying that man, up or down.

Trying to put down the door some'eres, I lost my balance, and went sprawling. I didn't get bumped bad, though, because Moonpate sort of cushioned the door when it struck. He bawled like a throwed calf.

I didn't want to make him no madder'n he is, and, besides, I seen Arabelly shoving two more shells into that shotgun. I taken the shotgun away from her when Moonpate staggers to his feet, sore as a nestful of hornets.

Moonpate's whiskers made him

(Continued On Page 104)

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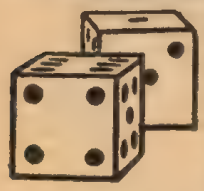

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(Continued From Page 103)

look terrible ferocious as he charged at me. He'd ruther fight than eat, and he'd tear into a buzz-saw and give it ten rounds head start. The way he ack was making me plump impatient, so I stepped back, except one foot which I clean fergot about. Moonpate stumbled over it, and went spinning.

"I come to take Arabelly to the dance," I explain agen, thinking mebbe he hadn't understood the fust time.

Arabelly banged me with the skillet. I taken it away from her, and then Moonpate was on his feet, rushing at me with his bowie knife. I kicked it out of his hand, and taken a wrestling holt on his neck when he began breaking my arm. I wrapt my laigs around him, and we went down, Moonpate underneath.

We rolled over and over, and every time I got the chance I tried gentling him by pounding his haid on the floor. Arabelly hammered my haid with the skillet, and when Moonpate turned me over quick, she sometimes hit his bald spot afore she could stop. He cussed her plenty.

Well, I had my hands full, what with Moonpate acting onreasonable the way he was, and Arabelly, in her excitement over being ast to the dance, beating me on the haid.

I don't mind a gal being playful. Fillies is like that. She busted the handle of the skillet by hitting me too hard, she throwed sticks of wood at me, and I tried to duck 'em while I was trying to ca'am Moonpate, and she broke a jug of corn over my haid. But when she come at me with a axe, I say it's carrying playfulness too danged far!

It ain't being kittenish—it's jest plain bad manners, and it grieved me Arabelly had been brung up so bad.

I leggo Moonpate. He needn't go

blaming me like he did because he jumped up jest in time to git hit with that axe handle. He should of ducked like I did. He crumpled up with a sort of moan.

That knocked all the fight out of Arabelly and I trussed her up without her objecting scarcely none, except for raking open my face with her nails and near breaking my hind laig with a kick.

"Arabelly," I says, "I knowed you don't want to show how tickled you air to be ast to that dance, but they's no need to ack so strenuous."

She makes a noise like she's strangling, and fit them ropes I'd tied her with to keep her from being playful agen. Then I carried her down to where I'd left Bolivar, and after a heap of trouble I got her back to Dead Mule Gulch.

WELL, it was danged near as dark as the inside of a cow when we come into town. I don't see no one around ontil we got near the Climax Bar. They was a big bunch of wimmen and kids outside talking excited-like, and as I knowed the dance was to be in the Climax, I suspicioned something was up.

Arabelly seen them wimmen, and she started to holler, "Halp! Murder! Elkwood Stebbins is got me."

They let out blood-curdling screams and scattered like Apaches had come to sculp 'em. I put Arabelly down in front of the blacksmith shop, and rid around behind the Climax. I figgered I better sashay around to see why they was no dance. Several wimmen had hid back in the alley when Arabelly hollered and they lit out yellin' bloody murder.

I slipped off Bolivar and poked him in the nose when he bit at me. Then I Injined up to the back winder. Trigger-temper riz in me ontil I danged

(Continued On Page 106)

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(Continued From Page 105)

near choked. Here I'd come to Dead Mule Gulch with nothing but peace and good will in me, I made up that feud, I went to all that there trouble bringing Uncle Grizzly in so they'd have a fiddler for their dance, and I'd ever brung Arabelly to the dance to show 'em how fergiving I could be.

And they was no dancing except Uncle Grizzly, which was on the end of a rope! They was a barrel knocked over beside him, and a rope by which he was hangin' from the rafters. At fust I thought Uncle Grizzly was in his dyin' convulsions. But us Stebbins lynch hard, and Uncle Grizzly ain't got no neck to speak of, so, instead of his neck gitting broke when they kicked the barrel out from under him, he was jest sort of choking.

I kicked down the door, and lupt into the Climax with a roar which rattled the shingles on the roof. Them coyotes looked like they seen a ghost. Then they scuttled to get under tables and benches. Mooseface was too froze to move, and he jest stood there and chattered:

"Yancy Mandell didn't kill you!"

He sort of come to when I got near him and drawed his bowie. I got plumb impatient when he almost cut off my year. Blaizdells started shooting wildly, but they was too scairt to aim. You cain't blame me under them circumstances if Mooseface got hurt by my taking his knife.

He dropped that knife, and ran out howling. I cut down Uncle Grizzly, whilst ca'tridges was peppering the air. Then I slashed his ropes and give him Mooseface's bowie. He promptly tried to cut my throat, but I was expecking it, and he didn't come near me.

"You danged fool!" I says, hurt, "you got Blaizdells to fit, and you try to rooin yore own kin, which saved yore life."

They come at us in all directions. I taken away some bowies and .45's and busted some haids when Owlface done the most onfriendly thing I ever seen. He grabbed holt my britches when I accidently hit him with the barrel of my .45. Something give 'way, and I snatched at 'em, when about three Blaizdells come at me with bowie knives flashing.

A man cain't fight effective whilst he's trying to holt up his britches! And Owlface was trying to pull 'em down, or else he was so dizzy he don't know what he's doing. But I seen if they got around my knees, I'd trip sure. I always been plumb grateful to Uncle Grizzly for his presence of mind on that occasion. He smashed Owlface on the haid, and Owlface bit the dust with a groan like a dyin' elk.

HE PILED into them Blaizdells, whilst I sort of got my britches moored agen. They is something purty watching Uncle Grizzly fight, he enjoys hisself so. They is lots of Blaizdells which air no tenderfeet with spurs, bowies, .45's, shotguns, whiskey jugs, beer mugs and whatever is handy. But none of them cain't tech Uncle Grizzly's technique with the laig of a chair. Them three Blaizdells which was acting so onfriendly when Owlface had a-holt my britches jest went down like they'd lost all interest in that argyment.

It looked as if they warn't much more to keep us in Dead Mule Gulch when I seen this Yancy Mandell come in the back door.

"You'll steal my gal, will you?" he says. "I'll lairn you, you hoss thief."

"Air you loco?" I ast, getting so vexed that I picked up a loaded weppin and impulsively shot off his sombrero. "I never seen no gal which would look at a face like yore'n."

(Continued On Page 108)

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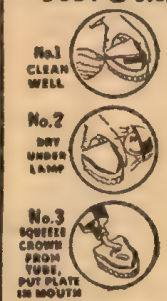

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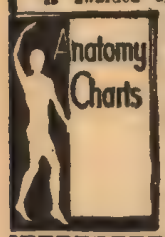

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(Continued From Page 107)

"You been trying to cut me out with Arabelly," he roars, his guns popping, and one ca'tridge smarting my laig.

Whilst I'm trying to ca'am him without gitting shot myself, I begin to see what Mooseface meant when he says I'd be committing suicide if I brung Arabelly to the dance. It seems like this Mandell must of been sparking her, and he must of impressed them he was a bad one.

That sort of made it clear, too, how them Blaizdells could screw up the nerve to lynch Uncle Grizzly. They must of figgered Mandell would be taking Arabelly to the dance, and that when we crossed trails that I'd be daid.

They hadn't figgered that on account of I sort of pushed Mandell with my fist when I had a-holt the Winchester that he'd be late calling and we wouldn't meet at Moonpate's. Moonpate must of tole him how playful Arabelly was, and him being the jealous kind, it hadn't sot well with him.

Uncle Grizzly is onreasonable sometimes but I always been plumb thankful that one of his failings when he gits excited is throwing a beer mug harder'n a cowpoke can throw a steer. He throwed one now. It cracked Yancy Mandell so smart on the haid that he lost all interest in what was going on.

I found Uncle Grizzly a hoss, and we rid out of town.

"Anyhow," I says after a while, "no one cain't say we didn't try to friendly up them Blaizdells."

They wasn't no call for Uncle Grizzly reining in his hoss beside me and punching me in the eye like he done when I spoke to him.

THE END

A RUSE FOR ROAD AGENTS

fact article

by KENNETH WOOD

BEATING the road-agent at their own game was the usual tough assignment that faced every shotgun messenger who ever straddled the "front box" on the old, hard-riding western treasure coach. Especially on Idaho's bandit-infested Virginia-Salt Lake route, where, south of Fort Hall in Port Neuf Canyon was a strategic point built-to-order for the hold-up business. At the bottom of a deep defile in the bedrock a trail twisted, its serpentine turns hidden by thick underbrush. At one place on this route a rockslide necessitated a deadly hairpin curve where the teams were forced to travel at a slow walk to avoid an upset. Here the highwaymen struck time and time again, resulting in many casualties and the loss of much treasure. In 1866 the spot was appropriately dubbed "Robbers' Roost."

Nevertheless, there is one case on record in which a quick-thinking young shotgun messenger named Charley Parks, in a lone hand play, outwitted the road-agents on this hazardous route. Two hard-bitten passengers boarded the coach some

(Continued On Page 110)

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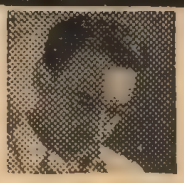

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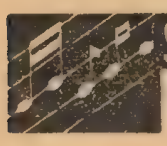

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(Continued From Page 109)

miles this side of Robbeers' Roost. One of the men Parks recognized as a notorious badman. Therefore Parks decided that trouble was ahead, and figured that it would be easier for him to hold up his own coach rather than let the bandits beat him to it.

When the stage had reached a point about ten miles this side of Robbers' Roost, Parks whispered to the driver to stop the team. Leaving his Winchester on the seat, he jumped down, and examined the harness as if something was wrong with the gear. Then he stepped back to the coach door and asked the two occupants to hand him a rope that was inside, under the seat. As the unsuspecting passengers complied, they looked into the business-end of two fully loaded and cocked 45's.

"Reach for the roof, gents!" ordered Charley Parks calmly.

"Say, what in hell's the matter—are yuh plum' loco?" protested one of the pair, as four hands slowly went upward.

"Just thought I'd come first for a change, that's all," was the reply.

The other was not without appreciation of grim humor.

"Well, I'm a ring-tailed coot!" he exploded. "Okay, you win; but looky here wise guy, you'll find more'n yore match down the trail a piece."

"I'll take care of that when I get to it," replied the shotgun messenger undisturbed. "Will you please oblige me by throwing out both your guns? Now tie up your friend's hands with this rope."

WHEN both desperadoes had been securely hog-tied and completely disarmed, the journey was resumed.

The remark dropped by one of the pair that he would "find more than his match down the trail," convinced

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Parks that his passengers were merely decoys of a gang who no doubt were already laying in wait to dry-gulch him at Robbers' Roost. He must, therefore, reach the intervening relay station before the attack if possible, for hee had another plan.

The station was not far away, and the team reached it safely. Here the prisoners were turned over to the custody of the station-keepers while a stock-tender was dispatched to town for the sheriff and a posse.

A couple of miles beyond the station Parks stopped the team again and disposed of his precious shipment against further molestation. He cut open one of the cushions on the top seat, taking out most of the straw filling which he scattered in the road. In the cavity thus madé, he carefully packed the buckskin bags of gold dust, along with his own watch and pocketbook and that of the driver's. A few wisps of straw were left hanging out to throw off suspicion, then the cushion smoothed out on the seat.

If the stage was due to be held up on that trip it would certainly take place at Robbers' Roost—and Charley Parks was not disappointed. As the careening vehicle neared the treacherous rockslide, half a dozen masked men with guns leveled menacingly, stepped out from covert.

"Halt, or yuh're a dead pigeon!" was the conventional salutation.

"Well, what do you want?" asked the messenger.

"The pay dirt yore carryin'. Fork it over, quick!"

"Gents," said Parks, grinning, "this is a case where it takes a thief to catch a thief."

"What the hell yuh drivin' at?" demanded the outlaw leader.

"Not that I'm a thief," Parks continued dryly, "but your own pals were a jump ahead of you, I'm afraid."

(Continued On Page 112)

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"What's that? Did they grab the stuff?" railled the gang in chorus.

"That's exactly it. If there's anything of value left in this old hack worth taking, don't hesitate to help yourselves, boys," invited the young messenger, drumming nonchalantly on the stock of his Winchester.

"Where's yore strong-box?" demanded the bandit chief, reluctant to believe there was no honor among thieves.

Parks drew out the chest and exposed its melancholy emptiness to the circle of masked men. Their momentary silence was suddenly broken by a volley of crinkling oaths.

"Where did they hold yuh up?" yammered the leader through his mask.

"Seven or eight miles back. You'll find some straw in the road at the place—you can have that, too."

"Were the others mounted?"

"On foot, the last I saw them."

"Then there's a chanct we can overtake 'em." exclaimed the bandit chieftain, his hopes quickly mounting. "Come on, hombres, let's make tracks!"

They started on the run for a nearby thicket, and immediately reappeared furiously applying quirt and rowel to their mounts.

"Give them my regards!" Parks shouted after the departing outlaws, but his only answer was the diminishing clatter of hoofs. Then he smiled grimly for retribution was sweeping down like a hawk upon its prey, the road-agents were galloping right into the sheriff's posse.

The shotgun messenger motioned to the driver to whip up the team, and they pushed along the trail to the station at the end of their run, where Charley Parks handed over his trust undisturbed.

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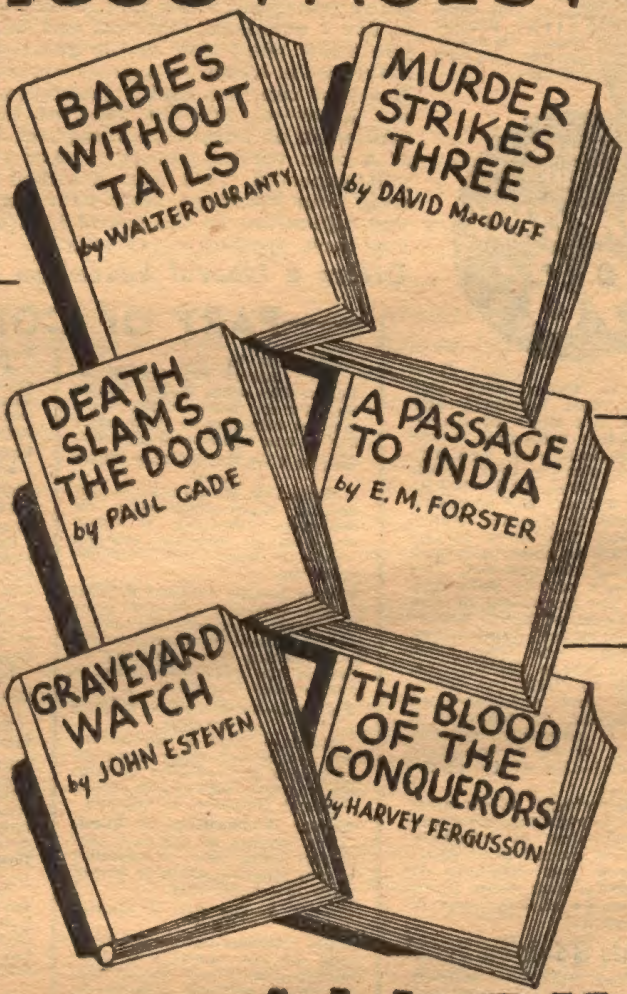

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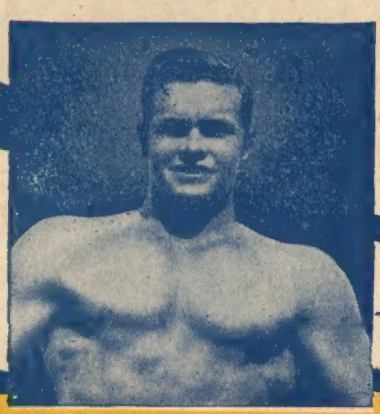

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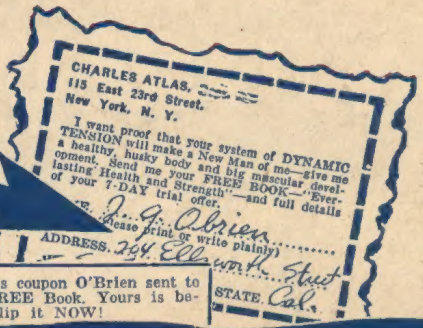
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